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STATE OF CALIFORNIA

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REPORT OF
1915 LEGISLATURE COMMITTEE
ON
MENTAL DEFICIENCY AND
THE PROPOSED INSTITUTION
FOR THE CARE OF FEEBLE-MINDED
AND EPILEPTIC PERSONS

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WHITTIER STATE SCHOOL
DEPARTMENT OF PRINTING INSTRUCTION
JANUARY, 1917

REPORT OF

1915 LEGISLATURE COMMITTEE

ON

MENTAL DEFICIENCY AND THE PROPOSED INSTITUTION

FOR THE CARE OF FEEBLE-MINDED
AND EPILEPTIC PERSONS

PURSUANT TO THE PROVISIONS OF
CHAPTER 729, STATUTES OF 1915

BY THE COMMITTEE:

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For Psychopathic Association of California

TRANSMITTED TO THE LEGISLATURE
JANUARY 1917

TABLE OF CONTENTS

	Page
Letter of Transmittal - - - - -	3
Introduction to Report of Committee - - - - -	7
Colony Care of the Feeble-Minded* XXXVII-48 - - - - -	11
Joseph P. Byers.	
Eugenics and Euthenics Dup. - - - - -	15
Charles B. Davenport, Ph.D.	
Feeble-Mindedness as a Social Problem - - - - -	21
H. H. Goddard, Ph.D.	
The Distribution of Feeble-Minded by Mental Age † Dup. XX-228 - - - - -	25
Samuel C. Kohs.	
New York Commission to Investigate Provision for the Mentally Deficient ‡ LV-50 Dup. - - - - -	37
Feeble-Minded Children in the Schools LV-81 - - - - -	45
L. M. Terman, Ph.D.	
Missouri Children's Code Commission § LXXVII-5 - - - - -	53
J. E. Wallace Wallin, Ph.D.	
Feeble-Mindedness and Delinquency - LXXVII-5 - - - - -	57
J. Harold Williams, Ph.D.	
Committee's Recommendations - - - - -	63
Summary of Bill Presented - - - - -	65
Copy of Bill as Presented - - - - -	69

APPENDIX

History of the Movement - - - - -	i
Legislation 1915 - - - - -	ii
Scientific Research - - - - -	iii

PLATES

Distribution of Feeble-Minded by Mental Age - - - - -	30
APPENDIX	
Heredity and Mental Defect, Chart 1 - - - - -	ii
Heredity and Mental Defect, Chart 2 - - - - -	iii
Inter-Marriage of Normal and Feeble-Minded Families - - - - -	iv
Grades of Intelligence of 215 Boys Committed to Whittier State School - - - - -	v

*Abstracted from several different articles by Fred. C. Nelles.

†Abstracted by J. Harold Williams, with minor changes, from an article which appeared in the Journal of Delinquency, Vol. 1, No. 2, May 1916, pp. 61-67.

‡State of New York: Report of Commission to Investigate Provision for Mentally Deficient. Summary by J. Harold Williams, Ph.D.

§Abstracts by Fred. C. Nelles.

PLATE IV

PLATE V

PLATE VI

LETTER OF TRANSMITTAL

Whittier State School,

Whittier, California,

January 7, 1917.

To the Honorable William D. Stephens,

Lieutenant Governor and President of the Senate,

Sacramento, California :


SIR :

As authorized by section 4 of chapter 729 Statutes of California, 1915, we have the honor to present herewith our recommendations to the legislature.

Yours respectfully,

FRED. C. NELLES,

Chairman of the Committee.



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REPORT OF THE CALIFORNIA COMMITTEE ON MENTAL DEFICIENCY

To the Honorable

The Legislature of the State of California:

We beg to submit herewith our recommendations in conformity with the provisions of section 4, chapter 729, Statutes of California of 1915, which reads as follows:

Sec. 4. The superintendent and trustees of the said Whittier State School together with two persons to be designated by the Psychopathic Association of California are hereby authorized and empowered to prepare and present to the next session of the state legislature of the State of California recommendations regarding the establishing of an institution for the care, training, confinement, discipline and instruction of defective persons, together with recommendations as to the best methods to be employed in conducting the same, the character of buildings and equipment best adapted to the purpose, and as to a suitable location for such an institution.

Before making its recommendations, your committee has endeavored to get the benefit of the opinion of those persons in the state who have been studying the problem of feeble-mindedness, and also to secure the co-operation of others outside the state whose experience would make their assistance valuable to California. After much time and study had been devoted to the question by members of the committee, the chairman issued a preliminary statement which outlined the general plan of a proposed bill and invited suggestions and criticism.* Later, the committee was represented at conferences in San Francisco (attended by residents of the entire bay region), Sacramento, Los Angeles, and various other communities. Individuals and organizations that have for years been working in behalf of the feeble-minded, contributed to the preparation of the material from which your committee has compiled its report.

We feel that the state is indebted to many persons for assistance given and particularly to the men, women and organizations that year after year have drawn attention to the deplorable conditions from which the

* See Appendix.

feeble-minded were helpless to escape and which constitute such a real menace to society.

Interest in efforts calculated to meet the need of the feeble-minded, is nation-wide. The National Committee on Provision for the Feeble-minded is entitled to the sincerest thanks of your committee for its hearty co-operation.

Your committee has read with interest reports of commissions appointed in other states. Our attention has been directed particularly to the reports recently published by the New York Commission and the commission appointed by the 1915 Legislature in Missouri.

We would make special acknowledgment of our indebtedness to those gentlemen whose articles accompany our report. Their time and thought has been given gratuitously and most willingly. The value of their contributions is self-evident.

While perhaps not directly within the scope of the work assigned to it, your committee feel they should refer to the intimate relationship that exists between feeble-mindedness and crime. From the ranks of the uncared-for feeble-minded, undoubtedly, comes a large percentage of our criminals. We believe that proper physical and mental examinations of prisoners would develop the fact that in many instances they are criminal because they are feeble-minded. No prison term, with release at the end of any number of years, will ever change this fact. They should receive permanent custodial care, even though special facilities are required to make this possible.

We believe that provision should be made for proper mental examinations of children in our public schools, for the purpose of ascertaining the intelligence level of the children, not only so that each may receive the training calculated to best assist in promoting his highest development, but also to early discover those who are so deficient mentally that they must ever remain children in mind.

It is our judgment that a new institution should be at once created, for

the care and training of feeble-minded persons, and we have incorporated our recommendations into a bill which we present herewith.

With reference to that part of the report calling for "recommendations as to the best methods to be employed in conducting the same, the character of the buildings and equipment best adapted to the purpose," your committee is of the opinion that these matters should be very largely left in the hands of the superintendent and trustees. We recommend that the trustees give their immediate consideration to the selection of a suitable person to act as superintendent.

It is the opinion of your committee that the securing of a superintendent prior to the selecting of a site or the final determination on the plans for buildings and equipment, will prove to be in the interest of both efficiency and economy. The entire future success of the undertaking may be limited by the selection of a property that does not, to the best advantage, lend itself to the carrying on of the work. The superintendent will, in no small measure, be held responsible for the securing of satisfactory results, and as the site is an important part of the foundation on which the work must rest, he should have a voice in its selection. The committee should have the benefit of his practical knowledge and experience to assist them in deciding between the various properties offered. His suggestions in this connection, and his supervision of plans for buildings and of their erection, should more than justify the salary paid during this construction period.

Your committee has traveled into practically all the southern counties looking at suggested sites. The information secured is available for the use of the trustees and superintendent of the new institution. We would recommend the following as some of the requirements:

A larger acreage than the minimum called for in the bill.

Reasonably convenient transportation facilities.

Not less than one hundred inches of water, preferably in wells on the land or flowing water to which there is clear title.

A minimum of three hundred and fifty acres of plow land suitable for fruits, vegetables, alfalfa and grain.

Some rolling land would not, in our opinion, be objectionable, if suitable for building sites or if it could be utilized as natural divisions of the property in an approved plan for purposes of segregation.

Consideration should be given to the advantage of having easy access to some well-settled community, where employees off duty could find entertainment and an opportunity for social life outside the institution.

We have laid the situation before the State Board of Control, with the request that a suitable appropriation be recommended by them in the budget. We are assured that this action will be taken.

We believe that the value of research work cannot be over-emphasized, and that there should be a material increase in appropriations for scientific inquiry into the causes underlying mental deficiency and its manifestations.

No state institution and no single group of persons cared for by the state should be considered as an isolated unit. It is our belief that there is urgent need of a comprehensive plan for the efficient and economical meeting of the problem presented by all the wards of the state.

In connection with our inquiry we have secured valuable contributions from a number of authorities on feeble-mindedness and the care of the feeble-minded, and have incorporated their articles in this report. We submit them herewith:

COLONY CARE OF THE FEEBLE-MINDED

JOSEPH P. BYERS

Executive Secretary, National Committee on Provision for the Feeble-minded.

The nation-wide movement on behalf of the feeble-minded must make its appeal on practical and economic as well as humanitarian grounds.

There are many thousands of these people who are in need of state care, both for their own and for society's protection. The public provision necessary for their proper care and custody will make large demands on the revenues of the states. These two facts raise the question as to how far the feeble-minded may be made to contribute to their own support, and the further question as to how public care can be provided economically without impairing its efficiency.

Theories and probabilities are less potent in the accomplishment of social reforms, especially with legislatures, than practical demonstration based on experience.

A large proportion of the feeble-minded can be usefully employed if intelligently directed. They can be economically housed, if we discard the up-to-now prevailing and mistaken idea of elaborate buildings and equipment. At the same time they can be protected and made happy and contented. The proof of these statements is found in their accomplishment.

The New Jersey colonies, which are used for illustration, are by no means the only proof that economical and humane care can be provided for these grown-up children. Very similar results have been successfully worked out in Massachusetts, Minnesota, Indiana and other states.

The essential requirements for the desired results are:

First — Plenty of Land. Five hundred acres should be the minimum for a colony of 300.

Second — Intelligent Direction of the Work. This should be entrusted only to those who know the feeble-minded, their capabilities and limitations, as well as what will interest and amuse them.

Third — Simple Buildings, and Use of Available Resources. The cost of maintenance of the colony must, in the nature of things, depend largely on the opportunity for employing the "colonists" in the raising of stock and farm and garden produce, cutting firewood, etc. If the character of the land affords opportunity to grow corn or other grains, and forage, potatoes, onions, cabbage, tomatoes, lettuce, celery, parsnips and turnips, melons and fruits, the utilization of such products to feed inmates and stock, and the sale of a possible surplus, will further reduce the cost of their care.

It has been demonstrated, by those states where the experiment has been tried, that colony life, by its simplicity and naturalness, conduces to the happiness of the inmates. It gives to them care suited to their needs, and employment suited to their ability.

Colonies for females are equally possible, if placed under competent management. Their location, however, should be most carefully selected to afford the inmates the greatest measure of protection.

COLONIES IN NEW JERSEY

New Jersey has two colonies: Menantico Colony, connected with the Training School at Vineland, and the Burlington County Colony.

The Menantico Colony is an experiment intended to show:

1. That feeble-minded men who have had preliminary training in the Training School Department can find happy and useful employment clearing rough land and preparing it for farming activities.
2. That they may be properly housed in simple but sanitary buildings which cost much less than the usual amount spent for such purposes.
3. That by giving such simplified occupation as these boy-men can understand, they may be made to contribute toward their own support, and the cost of maintaining them will be greatly reduced.

The colony was established in 1913 on a tract comprising 530 acres. Three small streams flow across the tract.

Many of the boys help in the construction work. Those who are not capable of such work are employed in the clearing of the land.

THE VALUE OF THE PLAN

No manufacturer of today has let the by-product of his plant go to waste as society has wasted the energies of this by-product of humanity.

There is reason to believe that any state will save money by developing the colony care of feeble-minded in a comprehensive manner. The practicability of doing this work has been shown in Massachusetts, Indiana, Ohio, Minnesota and other states, as well as in New Jersey.

The feeble-minded, the "innocents," are too often being punished in our jails and prisons. Attempts are made to reform them, but they are not reformable. Almshouses and hospitals for the insane contain many, but they are in unsuitable environment. They are in the public schools and on the streets, and become a drag to the progress of normal childhood.

Let us look at the matter in a business way, if sentiment or humanity is not strong enough to make us act. Give these child minds in the bodies of men and women an opportunity to develop next to nature. Stop paying for their keep (for as long as they live they must be cared for somewhere by some one) without getting any return, and put them in colonies at useful employment and they will return much of what it costs to care for them.

They ask only for an industrial opportunity. Some one must provide the job, direct the work and care for the product. This is the work for normal minds. The feeble-minded will perform the task. Once having learned how, a feeble-minded person is delighted to do a thing over and over, if some normal person will pat him on the back, encourage him and give him a smile.

EUGENICS AND EUTHENICS *

CHARLES B. DAVENPORT, PH. D. Dup.

1. *Heredity and Environment.* Admitting, as we must, the importance of hereditary tendencies in determining man's physical traits, his behavior, and his diseases, we cannot overlook the question that must occur to all: What relation have the facts of heredity to those of environmental influence, to the known facts of infection and bad conditions of life? Indeed, were we to accept the teachings of some, environment alone is important; good training, exercise, food and sunlight can put anybody in a "normal" condition.

So long as we regard heredity and environment as opposed, so long will we experience endless contradictions in interpreting any trait, behavior or disease. The truth seems to be that, for human phenomena, there is not only the external or environmental cause, but also an internal or personal cause. The result is, in most cases, the reaction of a specific sort of protoplasm to a specific stimulus. For example, the controversy as to the inheritableness versus the communicableness of "the itch," receives a simple solution if we recognize that there is an external agent, probably a parasite, that can, however, develop only in persons who are non-immune. Since such persons are rather uncommon and the absence of immunity is inheritable, the disease tends to run in families, and can rarely be caught, even through inoculation, by persons outside such families. Even in cases where the hereditary factor is universally admitted, as in manic-depressive insanity, the onset of the symptoms may be delayed by very favorable conditions of life. But though such symptoms may be diminished and the patient be discharged from the hospital as "cured," yet the weakness in his germ plasm is not removed; and it will, unless he is fitly mated, show itself in his children when they, in turn, experience an unusual stress.

With few exceptions, the principle that the biological and pathological history of a child is determined both by the nature of the environment and the nature of the protoplasm, may be applied generally. It is an incomplete statement that the tubercle bacillus is the cause of tuberculosis,

* With Dr. Davenport's permission, we quote from Chapter VIII of his book, "Heredity, in Relation to Eugenics." New York, Henry Holt & Co., 1913, pp. 298.

or alcohol the cause of delirium tremens, or syphilis the cause of paresis. Experience proves it; for not all that harbor the tubercle bacillus show the dread symptoms of tuberculosis (else there were little hope of escape for any of us); nor do all drunkards have delirium tremens, nor are all who are infected by syphilis parietic, else our hospitals for the insane would be fuller than they are. Rather, each of these diseases is the specific reaction of the organism to the specific poison. In general, the causes of disease as given in the pathologies are not the real causes. They are due to inciting conditions acting on a susceptible protoplasm. The real cause of death of any person is his inability to cope with the disease germ or other untoward conditions.

2. *Eugenics and Uplift.* The relation of eugenics to the vast efforts put forth to ameliorate the condition of our people, especially in crowded cities, should not be forgotten.

Education is a fine thing, and the hundreds of millions annually spent upon it in our country are an excellent investment. But every teacher knows that the part he plays in education is, after all, a small one. In the same class will be two boys who have had the same school training. One catches ideas almost before they are expressed, makes knowledge of his own as soon as it is required, and passes with swiftness and thoroughness to the limit of the teacher's capacity to impart. Another comprehends slowly, advances only by constant drill and hammering, and seems as little plastic as a piece of wood. Another may be slow, but rapid in mathematics; and still another may be first in English composition and incapable of acquiring algebra. The expert teacher can do much with good material; but his work is closely limited by the protoplasmic make-up — the inherent traits — of his pupils.

3. *The Elimination of Undesirable Traits.* The practical question in eugenics is this: What can be done to reduce the frequency of the undesirable mental and bodily traits which are so large a burden to our population? This question has often been asked. It has been answered in diverse ways, and, indeed, there are several methods of stopping the reproduction of undesirable traits.

There is, first, the method of surgical operation. This prevents

reproduction by either destroying or locking up germ cells. There are two principal methods of surgical interference. One is castration, which removes the reproductive gland and destroys sexual desire. The other is vasectomy, which prevents the escape of the germ cells to the exterior, but does not lessen desire. Neither of these operations is necessarily painful, nor liable to cause death or much inconvenience to the males. Corresponding operations can be performed on the females, but they are more serious in this sex since they involve opening the abdominal cavity.

Concerning the power of the state to operate on selected persons there can be little doubt; not only since the right to the greater deprivation (that of life) includes the right to the lesser deprivation (that of reproduction), but also since these operations are actually made today, and that sterilization is legalized, under certain precautions, in six states of the union. There is no question that if every feeble-minded, epileptic, insane, criminalistic person now in the United States were operated on this year, there would be an enormous reduction of the population of our institutions twenty-five or thirty years hence. But is it certain that such asexualization or sterilization is, on the whole, the best treatment? Is there any other method which will interfere less with natural conditions and bring about the same or perhaps better results? One is struck by the contrast between the haste shown in legislating on so serious a matter, compared with the hesitation in appropriating even a small sum of money to study the subject.

Is there any alternative besides sterilization or asexualization? There doubtless is, though it may at first be more expensive. This method is the segregation, throughout the reproductive period, of the feeble-minded below a certain grade. If, under the good environment of institutional life, they show that their retarded development is a result merely of bad conditions, they may be released and permitted to marry. But such as show a protoplasmic defect should be kept in the institution, the sexes separated, until the reproductive period is passed. If this segregation were carried out thoroughly, there is reason to anticipate such a reduction in defectiveness in fifteen or twenty years as to relieve the state of the bur-

den of further increasing its institutions; and in thirty years most of its properties, especially acquired to accommodate all the seriously defective, could be sold. We have the testimony of Dr. D. S. Jordan (1910) that the cretins who formerly abounded at Aosta, in Northern Italy, were segregated in 1890, and by 1910 only a single cretin of sixty years, and three demi-cretins, remained in the community. Such, then, would seem to be the proper program for the elimination of the unfit: segregation of the feeble-minded, epileptic, insane, hereditary criminals and prostitutes throughout the reproductive period, and the education of the more normal people as to fit and unfit matings.

4. *The Salvation of the Race Through Heredity.* And while heredity limits capacity in one point, it extends it in others. If I have mental limitations, I have also gifts of natural health, of physical vigor, of persistence, and so on. Thus, as there is hardly a strain of human germ plasm that is without some defect or limitation, so there is hardly a strain without the determiner of some admirable characteristic. While education and moral and religious instruction may do much to develop one's native traits, heredity can introduce the desirable determiner that will make such training more useful or less necessary. Indeed, while by good conditions we help the individual to make the most of himself, by good breeding we establish a permanent strain that is strong in its very constitution. The experience of animal and plant breeders who have been able, by appropriate crosses, to increase the vigor and productivity of their stock and crops, should lead us to see that proper matings are the greatest means of permanently improving the human race — of saving it from imbecility, poverty, disease and immorality.

5. *The Sociological Aspect of Eugenics.* Human society, as it exists in these United States in this twentieth century, is complex. How complex it is, is indicated in some degree by the vast number of laws that have been passed and represent the rules of that society. These rules apply generally to all people alike. They tacitly assume that all are alike; while admitting that there are some who are different, and who constitute special classes that must be specially provided for. These special classes are of eugenic interest. Although well defined at one extreme, at

the other they merge with the great mass of the population. The individuals composing these special classes are not in all respects distinct, but rather they are more or less peculiar in one or more respects. In fact, the special classes which are the concern of the boards and associations of charities and correction, consist of individuals with one or more traits that are more or less disturbing to the social organization. These individuals (or rather their traits) cause a disturbance and an expense of time and money quite out of proportion to their numbers in the community; they seem to be the main hindrance to our social progress. Moreover, their numbers seem to be increasing; hence, it is a pressing need of the day to find out what is the cause and cure of defectiveness and delinquency.

6. *Freedom of the Will and Responsibility.* A man of indomitable will is one who pictures so vividly the work he plans to do that other, minor, stimuli are relatively ineffective in opposition to the major stimulus. The man of weak will has usually a less vivid and powerful imagination, and hence his actions are more determined by numerous incidental stimuli. "Free will" is predicated in matters of small consequence or concern to the person, so that his action is determined by habit or slight stimuli whose source is unperceived. Though a man pride himself on the freedom of his will, his every action is determined by his protoplasmic makeup, plus, the modification it has received through experience, plus the relative vigor and quality of the stimulus he receives.

Organized society has a responsibility towards its members, in the sense of a duty to perform under penalty of dire consequences that will follow automatically. The responsibility involves, first, preventing the mating that brings together the antisocial traits of the criminal; second after this damage is done, in securing the highest development of the good traits and the inhibition of the bad, surrounding the weak protoplasm with the best stimuli and protecting it from the harmful stimuli. Here is where society must act to cut off the evil suggestions of immoral theatres, yellow journals and other bad literature. These stimulate those who react violently to this kind of suggestion. "The prisoner was a paranoiac and had a delusion of persecution; but had the play at the theatre not been what it was he would not have murdered that night."

FEEBLE-MINDEDNESS AS A SOCIAL PROBLEM

BY HENRY H. GODDARD, PH. D.

LXXVII-5

If the intelligent citizenship of our country only knew what those of us who have made special studies of these problems know, as to the facts of feeble-mindedness and social delinquency, it would be but the shortest possible time until every mentally defective person in the United States was cared for in some way.

I have before me at the present moment, the case histories of fifty-six delinquent girls. These girls had been committed to a state industrial school and then placed out on probation. They were examined by the Binet scale in the hands of one of the members of this laboratory in April, 1911. Every one of them was found to be feeble-minded with the possible exception of one who is still in doubt.

This diagnosis by the scale has been abundantly confirmed by their history, before and since. We now have three and four reports on them at intervals of about six months since that time. Without going into details, which will soon be published, I may state that there is in my mind no question whatever but that every one of these girls could have been detected as mentally defective at a comparatively early age, say eight or nine years, certainly ten or twelve. And further, that if this defect had been discovered at that time and the girls properly cared for and guarded and protected from themselves and their own impulses, every one of them would have been saved. I do not mean that they would have come out normal intelligent women, but they would have been saved from their immorality and from the long and loathsome career which is recorded in their history. At least forty-six out of the fifty-six have been guilty of gross and repeated sexual offense. Many of them have had illegitimate children, some having two, so that up to the date of our last report there had been twenty-one illegitimate children born of this group. Three of them are already common prostitutes, a fate to which probably the vast majority are destined. When one contemplates the ruin, not only of these fifty-six girls, but of the vastly larger number of others that they contaminated, both male and female—contaminated morally even more than physi-

cally, though the latter is not negligible; and when we contrast those facts with what might have been, one wonders why we do not arouse ourselves and proceed to control this problem instead of being so largely controlled by it.

Some will question the conclusion that these girls might have been saved. This is no unsupported theory. We now have abundant evidence, from our study of the inmates of the institutions for feeble-minded, to show that there is in the feeble-minded no inborn tendency to crime as such. There are impulses and instincts the same as in all human beings, with the difference that in these people they are uncontrolled, with the consequence that when they are in an environment where they can yield to these impulses, they do so. Now the logical conclusion is that they should be placed in an environment where the temptation itself is as much as possible removed, and secondly, where they are absolutely prevented from going wrong. So fundamental is this problem of the feeble-minded that one can assert without fear of successful contradiction that if all the time, money and effort now devoted to the solution of all of our social problems were concentrated for the next ten years on the question of feeble-mindedness, there is not a social problem that would not be nearer its solution at the end of ten years than it will be under the present plan. The first step is to provide state colonies for all who can possibly be committed to such colonies.

The next step is adequate machinery in our public schools for detecting early those who are mentally dull and defective and then for giving them the kind of training that fits their mentality. Upon conservative estimate 2 per cent. of school children are so mentally defective that they will never be able to manage themselves wisely. They are potential criminals; potential delinquent girls like those described in the early part of this paper. Only a small part of this 2 per cent. can be placed in institutions for the feeble-minded. The more institutions there are and the nearer they are to our great cities and centers of population, the more it will be possible to place in them. But there will always be a large group of high-grade defectives that cannot be thus segregated. They must be cared for by an elaborate system of surveillance, either through the school department or the police or the churches or some other means. But the first important thing is their detection and registration. All this work is progressing rapidly the country over, and long before we

have adequate homes and institutions for them, we will have upon our hands a small army of defectives, potential and actual delinquents. We cannot act too promptly.

The question of expense. While it is as proper to do this work, as any other work, as economically as it can be done, the question of expense must not be allowed to prevent it being done and done right. It does cost money; it does look like throwing away money to spend more on these children who will never amount to anything than upon normal children. But we are not dealing with what ought to be or what might be, but what is. It costs more to take care of the insane than it does of the normal people. But no one says we cannot afford it, because we realize that it must be done. Let us realize with equal force that the feeble-minded must be cared for, whatever the expense involved, because if they are not cared for they not only become miserable, wretched, unhappy, corrupt persons themselves, but they injure and damage and corrupt others. If we could estimate the harm they do when not cared for, if we could put into dollars and cents the cost of the moral degradation that they commit, we should find that it would be cheaper to care for each one in a palace by himself with a retinue of servants to take care of him than it is to let them go their natural way uncared for. More people become drunkards because they are feeble-minded, than become feeble-minded through the use of drink. Feeble-mindedness is responsible for more crime than any other one thing, possibly than all others put together. The feeble-minded girl is the easiest material out of which to make prostitutes and probably more prostitutes come from this class than from all others combined.

THE DISTRIBUTION OF THE FEEBLE-MINDED ARRANGED BY MENTAL AGE

SAMUEL C. KOHS

Dup. XX-228

Research Fellow Under the Buckel Foundation, Stanford University.
Formerly Psychologist to the House of Correction, Chicago.

The article from which the material in this chapter is taken, first appeared in the *Journal of Delinquency*, being an attempt to arrive at some notion as to the extent and distribution of the feeble-minded, with special reference to the different mental ages. This distribution is of special importance, owing to the generally accepted views (a) that the training and classification of the feeble-minded should be based upon their intelligence levels, and (b) that feeble-minded persons of the higher mental ages (*i. e.*, 10-12 years) are likely, if at large, to be the greatest source of menace, and at the same time to be the most difficult to detect.

The study is largely a statistical compilation and interpretation of data from four sources: (1) Dr. H. H. Goddard's 453 cases at Vineland, New Jersey; (2) Dr. E. B. Huey's 140 cases at Lincoln, Illinois; (3) S. C. Kohs' 219 cases at the Chicago House of Correction; and (4) several community surveys, in New Hampshire, Chicago, Michigan, the District of Columbia, and Virginia. These are taken as fairly representative of three groups of feeble-minded:

- (a) those in institutions for the feeble-minded;
- (b) those in institutions for delinquents;
- (c) those at large and in the public schools.

Use is made of the grouping commonly used for the feeble-minded, as follows:

- (a) Idiots: those who will not develop beyond a mental age of 2 years;
- (b) Imbeciles: those who are more intelligent than idiots, but who will not develop greatly beyond a mental age of 7 years;
- (c) Morons: feeble-minded persons who are neither idiots nor imbeciles, but whose mental age is not likely ever to rise above that of the average child of 12 years.

The distribution of the feeble-minded in institutions for their kind is shown in Table I. Here we find that the imbeciles predominate. This is due chiefly to the fact that imbeciles and idiots are more *obviously* feeble-minded; that is, their condition may be more easily recognized, by teachers, parents, and physicians, without the use of intelligence tests, than is the case with those of the moron group.

TABLE I.
FEEBLE-MINDED IN INSTITUTIONS FOR THE
FEEBLE-MINDED

	Mental Age	Vineland Data	Lincoln Data	Total	
		No. of Cases			
Idiots	Under 1 yr.	14	..	14	125
	1 yr.	14	14	28	
	2 yrs.	64	19	83	
Imbeciles	3 yrs.	48	11	59	298
	4 yrs.	42	15	57	
	5 yrs.	39	10	49	
	6 yrs.	46	8	54	
	7 yrs.	64	15	79	
Morons	8 yrs.	63	15	78	170
	9 yrs.	31	12	43	
	10 yrs.	21	13	34	
	11 yrs.	7	4	11	
	12 yrs.	..	4	4	
	Total	453	140	593	

You will notice a decided accumulation of cases at ages 2, 7, and 8. The mode at 2 may really be regarded as a pseudomode, in view of the fact that the natural distribution is distributed by conditions foreign to the phenomenon itself. Thus this mental age is, under present conditions, probably the lowest intelligence level at which large numbers can possibly exist. Especially is this true when one realizes that children possessing a mental age of 1 or below eat everything almost indiscriminatingly, are almost entirely helpless, and that those who are at least 2 years mentally are generally more critical of the material which may serve as food. Then again, since feeble-

minded children of 3 are more easily cared for at home than those of 2 it is fair to assume, all other things being equal, that a larger proportion of the latter would be sent to institutions. But whatever the causative factors tending to produce this warp, one is inclined to regard them as artificial rather than natural.

TABLE II.
FEEBLE-MINDED IN A PENAL INSTITUTION

	Mental Age	No. of Cases	
Idiots	1 yr. 2 yrs.	0
Imbeciles	3 yrs. 4 yrs. 5 yrs. 6 yrs. 7 yrs. 1 1	2
Morons	8 yrs. 9 yrs. 10 yrs. 11 yrs. 12 yrs.	9 49 84 (m) 75 ..	217
	Total	219	219

Table II shows the distribution of the feeble-minded at the Chicago House of Correction. A distinct mode is noticeable at age 10.

Our next table, if the data were available, would represent the mental-age distribution of the feeble-minded who are at large. At present we are compelled to rely merely on the general statements made by those engaged in community surveys. Thus taking Mrs. Streeter's findings, based on her canvass of the whole state of New Hampshire (over 2,000 feeble-minded cases), 60 per cent. of those at large were 8 or over mentally, and about 30 per cent. were below 8 (see reference, page 90). The English statistics* have proven conclusively that the smaller the intelligence difference the greater the incidence of that degree of amentia. Goddard also has demonstrated that fact in his study of 2,000 school children measured by

*Tredgold, *Mental Deficiency*, 1914, pp. 10-19.

the Binet scale.* Consequently the number at each mental age for those at large, were we in possession of the actual figures, would increase gradually from 1 up to about 8, the rate of increase becoming greatly accelerated from 8 up to 12. This is especially true in view of the fact that the higher grades of amentia are difficult of segregation.

In Table III we present such a possible distribution of the feeble-minded at large (note mode at 12):

TABLE III.
FEEBLE-MINDED AT LARGE

	Mental Age.	No. of Cases	Total
Idiots	1 yr.	1	3
	2 yrs.	2	
Imbeciles	3 yrs.	3	40
	4 yrs.	4	
	5 yrs.	7	
	6 yrs.	10	
	7 yrs.	16	
Morons	8 yrs.	24	502
	9 yrs.	36	
	10 yrs.	58	
	11 yrs.	152	
	12 yrs.	232	
	Total	545	545

(Population assumed to be 100,000 and the total number of feeble-minded about 1000.)

In his study of 2,000 normal children, Goddard presents the typical bell-shaped histogram, the average or normal individuals occurring with greatest frequency, and at both ends of the curve are represented those who are better and those who are worse endowed, the numbers falling away gradually. Based on the Binet returns he obtained the following four groups: Feeble-minded, 3 per cent; backward, 15 per cent; normal, 78 per cent; "gifted," 4 per cent.

*H. H. Goddard, *Two Thousand Normal Children Measured by the Binet Measuring Scale of Intelligence*. Ped. Sem. 1911, 18:232-259.

TABLE IV.
PERCENTAGE INCIDENCE OF FEEBLE-MINDEDNESS
ARRANGED BY MENTAL AGE.

	Mental Age	Per Cent.
Idiots	1 yrs.	0.53
	2 yrs.	0.87
Imbeciles	3 yrs.	1.50
	4 yrs.	2.32
	5 yrs.	3.55
	6 yrs.	4.99
	7 yrs.	6.92
Morons	8 yrs.	9.07
	9 yrs.	11.80
	10 yrs.	15.01
	11 yrs.	19.33
	12 yrs.	24.13
	Total	100.02

Grouping these ages we obtain :

Idiots	1.40 per cent
Imbeciles	19.28 per cent
Morons	<u>79.34</u> per cent
Total	100.02 per cent

The agreement here with Tredgold's data based on absolutely definite cases is most interesting:

TABLE V.
RELATIVE INCIDENCE OF THE THREE DEGREES
OF FEEBLE-MINDEDNESS.

	Idiots, per cent.	Imbeciles, per cent.	Morons, per cent.	Total per cent.
Ideal Curve	1.40	19.28	79.34	100.02
Tredgold's data	6.	18.	76.	100.

It will be observed that Tredgold lists a larger percentage of idiots and a smaller percentage of morons. This can perhaps be explained in three ways: First, the idiot is by far the more easily recognizable of the two — he is much more easily detected and consequently the

census returns would be inclined to be much more accurate regarding this type. Certainly a much smaller number of idiots would miss being counted than morons. Secondly, the idiot attracts attention to his subnormality at a much earlier age. For example, an idiot may be recognized at 5 or 6, whereas a moron cannot by present methods* be definitely recognized before 11 or 12. And finally, a very much larger proportion of idiots are segregated in institutions, group for group.

These factors lead, inevitably, to an over-estimation of the number of idiots. The ideal curve seems nearer representation of the actual conditions.

Coming back to Table I we find that a plotting of the distribution of cases at the various ages would yield a curve represented by the broken line on Chart I. This graph may be said to be representative of the distribution of cases not only in institutions for the feeble-minded but also in kindred institutions, such as perhaps institutions for paupers, almshouses, farm colonies, orphanages, county infirmaries, "ungraded" classes, insane asylums, county farms, homes for dependents, etc. (The number in kindred institutions are included in all of the curves.)

Taking Table II and similarly manipulating it, a curve is obtained represented by the dotted line on Chart I. This graph may be said to be representative of the distribution of cases found in penal and kindred institutions such as reformatories, correctional and industrial institutions, jails, workhouses, truant schools, etc.

And finally, treating Table III in the same manner, a curve is obtained such as is indicated by the thin continuous line on the chart.

Of course, a great deal of handling of the various groups was necessary before they were put down in their final form. In their present positions they very probably represent the true state of affairs.

Separating out the different ordinates, we obtain Tables VI and VII:

* Recent studies in the heredity of feeble-mindedness lead one to the belief that moronity may be predicted with safety in cases where the defect is hereditary since children of feeble-minded parents tend to develop to about the same intelligence level reached by the parent.

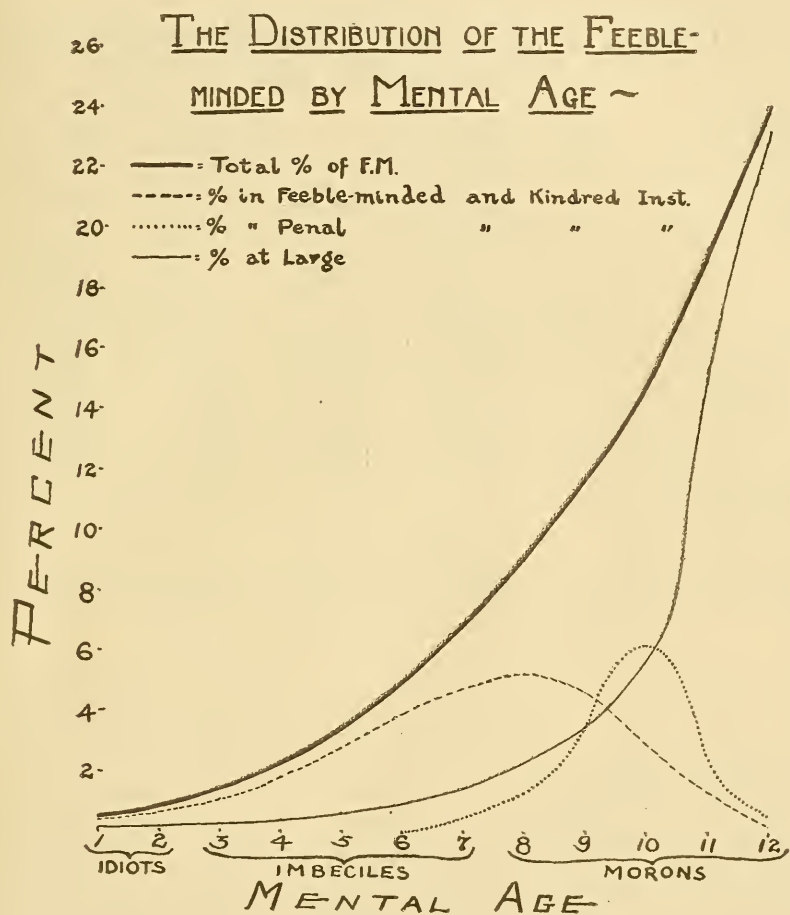


CHART I.

TABLE VI.
THE PERCENTAGE DISTRIBUTION OF THE FEEBLE-MINDED
AT THE VARIOUS MENTAL AGES

	Mental Age	Per cent. of feeble minded in feeble-minded and kindred inst.	Per cent. of feeble-minded in penal and kindred institutions.	Per cent. of feeble-minded at large	Per cent. of total feeble-minded
Idiots 1.40 per cent.	1	0.40	..	0.13	0.53
	2	0.67	..	0.20	0.87
Imbeciles 19.28 percent	3	1.17	..	0.33	1.50
	4	1.90	..	0.42	2.32
	5	2.83	..	0.72	3.55
	6	3.98	0.01	1.00	4.99
	7	4.80	0.54	1.58	6.92
Morons 79.34 per cent.	8	5.29*	1.40	2.38	9.07
	9	4.70	3.50	3.60	11.80
	10	3.00	6.23*	5.78	15.01
	11	1.50	2.63	15.20	19.33
	12	0.25	0.68	23.20*	24.13
	Total	30.49	14.99	54.54	100.02

*Modes.

TABLE VII.
THE PERCENTAGE DISTRIBUTION OF THE DIFFERENT
DEGREES OF FEEBLE-MINDEDNESS.

	Modal Mental Age	Idiots	Imbeciles	Morons	Total
In feeble-minded and kindred institutions	8	1.07	14.68	14.74	30.49
In penal and kindred institutions	10	0.00	0.55	14.44	14.99
At large	12	0.33	4.05	50.16	54.54
Totals		1.40	19.28	79.34	100.02

From Tables VI and VII we may glean the following (some of these statements are made, of course, with reservations):

(1) Morons are about four times as numerous as idiots and imbeciles combined (80 per cent. to 20 per cent.)

(2) Having determined definitely the number of idiots and imbeciles in a normally constituted community, it is comparatively easy to estimate the probable number of morons, simply multiplying the former by four, surely by three.

(3) Without question, over 50 per cent. of the feeble-minded are at large, and of these only about 5 per cent. are under 8 years mentally, the other 45 per cent. certainly possessing sufficient intelligence to reproduce.

(4) About 60 per cent. of all morons are at large, and the other 40 per cent. are evenly divided in institutions for the feeble-minded, in penal institutions, and in institutions similar to both of these in type.

(5) Under age 6, feeble-minded are rarely if ever found in penal institutions.

(6) Only about one-third of our defective population is in institutions for the feeble-minded and in kindred institutions.* Of these, more than half are idiots and imbeciles. Morons are in the minority. The remainder of this group are at large and rapidly multiplying their kind.

(7) Certainly much more than two-thirds of our defective population are unsegregated. Of this group, about one-fourteenth are idiots and imbeciles, the other thirteen-fourteenths are morons. And of these, only about one-sixth are in penal and kindred institutions. The rest are at large, a large part of them females of child-bearing age.

(8) It is of interest to note at what mental ages the modes of the various curves occur. For those in feeble-minded and kindred institutions the mode is at 8; for those in penal and kindred institutions, the mode is at 10; while for those at large the mode is at 12. In other words, the largest number at any one mental age in feeble-minded and kindred institutions occurs at age 8; for those in penal and kindred institutions the largest number occurs at age 10; and for those at large, age 12. This condition is striking, and leads one to conclude that a mentally defective individual possessing a mentality equivalent to that of a 12-year-old can by some manner of

* The New Hampshire investigation (2,966 feeble-minded) revealed 68 per cent. at large, and 32 per cent. in suitable and unsuitable institutions. The Virginia investigation (4,789 feeble-minded) revealed 60 per cent. at large, and 40 per cent. in suitable and unsuitable institutions. An average of these figures approaches more accurately the data obtained from our ideal curve.

means keep out of difficulty so as to avoid imprisonment or permanent segregation; a mental defective who has a mentality of 10, has not enough intelligence to keep out of conflicts with the mores; but does have enough to keep from being permanently segregated; and finally, a mental defective 8 or under, has neither enough intelligence to get along at large, nor even enough to enable him to become involved in some difficulty be it only so slight as to merit a moderate penalty.

(9) Assuming that there are 400,000 feeble-minded in the United States (an extremely conservative estimate), Table VII could be converted into:

TABLE VIII.
DEGREES OF AMENTIA AND THE PROBABLE
DISTRIBUTION OF 400,000 FEEBLE-MINDED
IN THE UNITED STATES

	Idiots	Imbeciles	Morons	Total
In feeble-minded and kindred institutions	4,280	58,720	58,960	121,960
In penal and kindred institutions	2,200	57,760	59,960
At large	1,320	16,200	200,640	218,160
Total	5,600	77,120	317,360	400,080

The reader can very easily continue his deductions from the various tables, keeping in mind, of course, that the data have been rather limited. No doubt, it will be found that the figures contradict some of our actual findings. If so, either the curve representation is incorrect, or the compared data are incomplete, or both are in error. At any rate, we here possess a checking instrument which may perhaps be found of value in making observations regarding the incidence of the various degrees of amentia, and can very probably be greatly improved by a much larger mass of statistics, sufficient to make it reliable.

Of course, local conditions everywhere vary extremely. Consequently the curves cannot for a moment be regarded as representative of conditions in any particular community. It is only when thousands of cases are being considered, when millions of the population are taken into account, that anything approximating a fair opportunity for safe, practical application is presented. Nevertheless, the curves and data may be found of assistance in determining extraordinary

and deviating phenomena occurring in community surveys, and at the same time stimulating efforts towards an explanation of these local peculiarities.

It has been rather difficult to put into concrete form what has been up to this time a kind of general "feeling." That some inaccuracies have crept in, I have no doubt. But the contribution is offered on its merits. It is hoped that it will stimulate further accumulation of evidence, that it will arouse interest in this method of visualizing the distribution, that it will lead other research workers to check up, verify and correct the stated proportions and percentages, and finally that it will assist us in realizing the extent, the gravity, and the various ramifications of mental deficiency.

Since both inductive and deductive methods are required in determining the laws underlying natural phenomena, the writer has felt justified in utilizing what some may call "unverified judgments." But postulations must be made in all fields, why not here, especially if these assumptions are logical and sane? Until empiricism yields us more tangible data, it is safe to be guided conservatively by carefully constructed generalizations, especially if they possess the indorsing stamp of the pragmatist.

SUMMARY OF THE REPORT OF THE NEW YORK COMMISSION TO INVESTIGATE PROVISION FOR THE MENTALLY DEFICIENT*

LV-50

The report of the New York Commission, which is here presented in brief, is believed to be the most comprehensive and important investigation of its kind. Although the findings are presented with special reference to the State of New York, their significance for California and other states is equally great. The problem of feeble-mindedness is one of national importance; this importance being continually shown by the similarity of results of studies made in the different states, by different investigators and with somewhat different ends in view. Nearly all reports of this character point out the need for segregation of the feeble-minded, and the serious social and economic consequences of further contributing to the menace by neglecting to make such provision.

The report is well worth reading in detail; however, this abstract may serve to point out some features which, in the opinion of this committee, are of special importance to the present problem in California.

NATURE, PURPOSE, AND SCOPE OF THE INVESTIGATION

The Establishing Act. The legislature of the State of New York authorized by Act of 1914, Chapter 272, a commission to investigate "the subject of the public provision for the care, custody, treatment and training of the mentally deficient, including epileptics." The sum of \$10,000 was appropriated by the same Act for the purposes of the commission. Governor Glynn subsequently appointed Mr. Robert W. Hebbard, chairman; Dr. Max S. Schloff, Dr. Charles L. Dana, Professor Stephen P. Duggan, and Mrs. Mary C. Murphy. Upon the resignation of Drs. Dana and Duggan, Dr. Aaron Denenholz and Professor Herbert S. West were appointed to fill the vacancies.

*State of New York. Report of Commission to Investigate Provision for the Mentally Deficient, Albany, 1915, pp. 628.

Meetings and Hearings. The commission met at the several state institutions, and held public hearings at which many prominent psychologists, social workers, physicians, educators and others were asked to testify. The report consists largely of the testimony thus obtained, further elaborated upon by the committee.

The Duty of the State. Feeble-mindedness is a grave social menace. To its prevalence can be traced much of crime, vice and degeneracy. Not only in itself, but also because of its hereditary nature, it is a fundamental cause of human misery. It is important that society, through its government, take cognizance of the importance of the problem, and take steps toward its immediate curbing and ultimate elimination. It is recognized that the problem is at present too complex for even expertworkers to fully understand; it therefore becomes a prime duty of the state to provide for further study and investigation, and in the meantime to use the best methods at our disposal to check the danger.

New York is one of the earlier states to care for the feeble-minded. The Syracuse State Institution for Feeble-minded, founded in 1851, was the second of its kind in the United States. Today the state maintains six institutions: at Newark, Rome, Syracuse, Sonyea, Letchworth Village, and Randall's Island. These six institutions house more defectives than are cared for by any other state. New York has also been a pioneer in experimental work. With this as a background, further inquiry and provision would seem logically to follow.

CHAPTER I.

The Approach of the Problem. Modern scientific work in psychology, neurology and medicine has accomplished much in the study of mental deficiency. Normal standards have been reached, and reasonably accurate classifications are now possible. The measurement of mental capacity is now of as practical importance as the measurement of physical capacity. While methods are perhaps not perfect, their reliability is sufficient to warrant wide application.

In this connection the Binet-Simon Scale for Measuring Intelligence is of great importance. Originally developed by Dr. Binet, a French psychol-

ogist, the work of Dr. Goddard and others in this country has made possible the use and extension of the scale for American children.

Need of Co-ordination. Feeble-mindedness is of such far-reaching consequences that it may not be considered a problem of a single organization, group, or institution. Every social problem with which we have to deal is related in some way to mental deficiency. Hence every institution, every department of the government, and educational, judicial, and medical authorities, are devising means for the detection and protection of mental defectives with regard to the special consequence which applies most directly to each. There is need for a unified public effort to the end that the problem may be dealt with by the state as a whole, having the co-operation of departments, institutions and organizations affected by the menace of the feeble-minded.

Limitations and Prevention. It may be always an impossibility to entirely eliminate mental deficiency. Sterilization has long been urged, but the action of many courts in declaring it to be in conflict with personal rights, together with the disease, immorality and perversion incident to the modern operation, make it a doubtful reform.

Dr. J. M. Murdock, of the Pennsylvania State Institution for Feeble-minded, says:

Sterilization is at best a partial remedy, but is restricted in application by public sentiment. It is actually operative (in 1913) in only one of the eight states that have passed sterilization laws.

In fact, in the opinion of some, the application of this method may work toward more harm than good. Dr. Charles Bernstein, of Rome, N. Y., says:

We know that many of our defective classes have two outlets for their emotions. One is crime and the other is sex offense. If we catch this sex offender and sterilize him or her, as the case may be, we will limit the thing to a certain extent, but we do not know then what the outlet for that person's emotions and activity will be. And then, today we do not know the real effect of sterilization; and if we do it we are only leaving these people liberty, or in a way license, to go as far as they will; and they will spread venereal diseases to such an extent that the next generation will suffer more from venereal diseases than it will from defective offspring.

Dr. Walter E. Fernald, Superintendent of the Massachusetts State School for the Feeble-minded at Waverley, says:

I have been unable to make myself believe that sterilization would do what is claimed for it. The fact is, it is a law in only twelve states. There are several administrative difficulties. In our state I have been privately informed by a former district attorney that it would be very difficult to formulate a sterilization bill which would be compatible with our state constitution. The prejudice of the average parent is a matter which I think it would be very difficult to overcome. The influence of the law would be to withdraw from the influence of our institutions large numbers of feeble-minded who otherwise might be amenable to whatever advantages and whatever custodial provision was made. Only a small proportion of the fathers and mothers of my patients are feeble-minded themselves. They are the normal members of feeble-minded families; and I can conceive by no possibility that they could have been sterilized. And yet they are the dangerous ones in the community — far more dangerous than their feeble-minded brothers and sisters. The decision in the Iowa case by the federal court not only decided the case against the institution, but assailed the whole policy in a very dangerous manner; and of course it assailed it on the ground that it was contrary to the provisions of the United States Constitution.

Possibility of Control. If complete elimination is impossible, or if by so doing we would of necessity use methods which are of doubtful practical value, it is at least possible for the state to segregate those afflicted, thus preventing their propagation, and to provide for the scientific study of the underlying causes of that condition.

The High-Grade Defective. The greatest menace arises from the presence in our population of persons who are definitely feeble-minded, and yet of sufficient intelligence that they may pass among us undetected. Only through evidence in the nature of crime, debauchery, prostitution, delinquency, etc., do they finally come to the attention of public authorities. They are almost certain to become public wards, but usually this occurs after the serious consequences of their condition has ensued. The state may meet this problem, in part at least, through the following measures:

1. The establishment of a uniform method of diagnosis, and registering mental defectives.

2. The expansion of our institutional provision for the dependent and delinquent defective, so that they may be trained, made socially useful, and prevented from breeding more of their kind.
3. The adaptation of our educational curricula to the special needs of the subnormal, who under continuous supervision may possibly become self-supporting and self-respecting.
4. Equipment and adequate support of laboratories for scientific research.

CHAPTER II.

Mental Diagnosis. The commission reports that in no city in the state (of New York) is adequate provision made for the diagnosis and special care of mentally defective children. Although small bureaus are provided by some of the large cities, where routine tests are given largely because of absolute necessity, there is a universally recognized need of a state-wide system of psychopathic clinics. Leaving the burden of the work upon medical inspectors, nurses, and other workers, can only result in the neglect of other important duties. Dr. H. H. Goddard, in a study of the problem of mental deficiency in the New York City schools, reports a conservative estimate to the effect that two per cent., or 15,000 children in the public schools of that city are feeble-minded. Dr. Goddard says:

While no importance is attached to the estimate of 15,000 defectives (if it were only half that the conclusions in the report would remain the same), the indications are strong, and from many sources, that two per cent. of the school population is an underestimate of the number of mental defectives in any community.

Numerous studies in recent years of the intelligence of dependents, defectives, and other socially exceptional individuals, have shown the proportion of feeble-mindedness existing among such persons to be very large. Conservative estimates of the extent of feeble-mindedness among delinquents vary from ten to fifty per cent. Studies by Dr. Edith R. Spaulding and Dr. Olga Bridgman indicate that more than one half of our prostitutes and immoral girls and women are mentally sub-normal. These studies

suggest that it would be to the greater efficiency of state control if the feeble-minded are definitely segregated in institutions for that purpose. Again the need for further research is emphasized.

CHAPTER III.

The Care of the Feeble-Minded. The steps taken by the state (of New York) to the present time consist in (a) state institutions; (b) special, or ungraded, classes in the public schools. These are both necessary measures; and while not in themselves sufficient to meet the problem, their co-ordination and elaboration, using the state psychopathic clinics as connecting mediums, go far toward making the needed provision. To this end the establishment of more special classes in the public schools is strongly urged. Children in these classes learn to do much in the way of manual work, because there they may be given instruction to which their minds (too feeble for competition in regular school work with ordinary children) are adapted. Reports from special classes in many cities indicate that such instruction is of great value, and often results in the learning of many useful things.

Asylums for the Low Grades. It is recommended that idiots and low-grade imbeciles be segregated in asylums specially set apart for that purpose.

Segregation of Defective Delinquents. The greatest need, second to that for a state system of clinical diagnosis, is for the segregation, in special institutions, of dependent and delinquent persons who are feeble-minded. The testimony of superintendents of institutions where this problem is met is definite on this point. Dr. Christian, of the Elmira Reformatory, says:

The principal value of such an institution as I am recommending now is two-fold: first, it will make the administration of the public correctional institutions easier; and second, it will give more humane treatment to the inmates who are now feeble-minded in correctional institutions in which they are a burden. Such custodial asylums . . . should have the right to hold their inmates until, in the opinion of a competent authority, they may, with safety to the community and to themselves, be allowed to be at large.

In discussing the problem with reference to defective delinquent girls, Miss Maude E. Miner, secretary of the New York Probation Association, says:

There is no provision at the present time for the defective delinquent, and no institution is really adequately prepared to deal with that class of girl. They only cause trouble. They are only discharged and put back on society, meaning that they spread the contagion of their person and disease and all the rest in such a way that they are a very great menace both to themselves and to the community.

GENERAL CONCLUSIONS OF THE COMMISSION.

1. Because of the great importance of this subject to the whole state, the care, custody, treatment and training of the mentally deficient, including epileptics, should be definitely regarded as state problems; although, as in the cases of other classes, certain parts of such problems may, by law, be assigned to the localities of the state, under improved state supervision. The sooner such a place is inaugurated, the more economical it will be for the state.

2. The existing state institutions [in New York] are inadequate. Approximately 3,000 are now being cared for, while there are 21,000 persons outside of these institutions who are known to be mentally defective. The menace of unsegregated feeble-minded persons to society is so great that more adequate institutional provision is immediately urged. There is also need for the extension and elaboration of institutional work now being carried on. The capacity of present institutions should be increased, and they should be given increased support.

3. Because of the large proportion of feeble-minded persons in institutions for delinquents, conservatively estimated at twenty-five per cent., who because of their mental condition are not susceptible to reformation, the commission is of the opinion that separate institutions of a custodial nature should be provided for feeble-minded delinquents.

4. The commission recommends the establishment of a system of clearing-houses, under uniform state control, for the examination, study

and classification of all persons suspected of mental deficiency by reason of dependency or delinquency.

5. There is need for better training and supervision of high-grade feeble-minded children in the public schools. This refers to the special or "ungraded" classes for the segregation and special instruction of children whose intelligence is too low to profit greatly by the regular school work. Vocational training is of great importance in this connection.

44
81

FEEBLE MINDED CHILDREN IN THE SCHOOLS

LOUIS M. TERMAN, PH.D.

THE MENACE OF FEEBLE-MINDEDNESS

Feeble-mindedness has always existed; but only recently have we begun to recognize how serious a menace it is to the social, economic, and moral welfare of the state. Extensive and careful investigations, in large numbers and in diverse parts of the United States, have furnished indisputable evidence that it is responsible for at least one-fourth of the commitments to state penitentiaries and reform schools, for the majority of cases of chronic and semi-chronic pauperism, and for much of our alcoholism, prostitution and venereal diseases.

The problem is not confined to a few localities or states, but is nationwide. Sufficient facts have been brought to light to demonstrate that California, at least, presents no exception. Psychological studies have shown that, on the most conservative basis of reckoning, more than 25 per cent. of our reform-school inmates are feeble-minded; that the proportion is fully as high among those brought into our juvenile courts; and that a fourth of the convicts at San Quentin are either feeble-minded or of borderline mentality. Tests of 150 migrating, unemployed men ("hoboes") who passed through Palo Alto in the spring of 1915, gave a proportion of feeble-mindedness as high as that found among convicts. The part played by mental deficiency in immorality among girls and women is shown by Dr. Grace Fernald's extensive study at Whittier to be as serious in this state as elsewhere.

The cost to the people of California of feeble-mindedness in all its aspects, while not subject to exact reckoning, must be tremendous. The cost for Massachusetts, a state whose population is about the same as that of California, has been computed at more than \$7,000,000 annually. If crime costs as much in California as in Massachusetts, and if one-fourth of this loss is traceable to feeble-mindedness, we have then an annual loss from this source alone of nearly \$2,000,000. When we add to this the

loss accruing from the part played by feeble-mindedness in alcoholism, pauperism, prostitution and disease, it is reasonable to conclude that the mentally defective inhabitants of California entail a burden upon the rest of the state far in excess of \$5,000,000 a year. There can be no doubt that an additional institution, designed principally for the care of the higher-grade and more dangerous cases, would save to the state every year more than the original outlay for such an institution.

The problem is not one that can be left to its own solution, because there is no solution short of positive state action. The longer the menace is neglected, the more threatening it becomes. In the last few decades the rate of reproduction among the socially fit has rapidly declined, but the feeble-minded continue to multiply at an undiminished rate. At the same time, various beneficent social agencies and organized charities, necessary and humane as these are, nevertheless often contribute to the survival of individuals who would otherwise not be able to live and reproduce. The result is an ever-increasing proportion of socially unfit individuals in our state's population; and the problem can be met only by such an extension of the state's care of the feeble-minded, particularly of the higher grade of feeble-minded, as will curtail the reproduction of defectives. Our criminals, our alcoholics, our prostitutes and our paupers were only a little while ago children in the public schools; and from our present school population the social force of tomorrow will be recruited. In many respects, the acuteness of the problem of defectives can best be appreciated by a study of mentality-surveys of school-children. Wherever such surveys have been made, mentally defective school-children have been discovered; and although naturally the figures vary more or less in different localities, usually at least 1 per cent. of the school population are found to be feeble-minded and another 1 per cent. are found of borderline mentality.

Dr. Goddard, on the basis of several studies in eastern cities, estimates the ratio of feeble-minded in the school population as approximately two per cent., a figure which has seemed to many people incredibly high.

However, that the proportion in many parts of California is not much less than this, is indicated by several investigations.

After six years of psychological work in the public schools of Oakland, Mrs. V. C. Hicks estimates the proportion of mentally defective school-children in that city at not less than 3 per cent. The total number of feeble-minded children of school age, including those who have not entered school, would, of course, bring the figures still higher. This is one of the longest continued and doubtless one of the most accurate investigations of mental deficiency on a large scale yet carried out in this country, and the result is proportionately significant.

A thorough study of retardation in the rural schools of "X" county, California, recently carried out under the supervision of the writer for the State Board of Education, shows that, on the most conservative criterion as to what constitutes feeble-mindedness, more than 4 per cent. of the children enrolled in the rural schools, and in one of the representative cities of this county, are mentally defective. Most of these, indeed, are institutional cases. If we include those at the borderline of mental deficiency the proportion arises to more than 5 per cent. In one rural school of 41 enrollment there were 15 feeble-minded children, 10 of whom were members of two related feeble-minded families; one other family furnished 3 of the remaining cases. In one of the better cities of this same county, there is a teacher who, in a regular class of 44 pupils, has 7 children who are feeble-minded. Two of the families represented in this room are known to have several feeble-minded children. One of the families has 10 children, all said to be feeble-minded. The mother is known to be feeble-minded and alcoholic. The entire family lives in one room, which has no window.

The field work carried on under the direction of Superintendent Nelles and Dr. Williams at Whittier showed that nests of feeble-mindedness are not rare in California. While the above-mentioned school in "X" county is, fortunately, an exception, the feeble-mindedness found in that county was by no means confined to a few localities. In fact, one

or more defectives of institutional grade were found in 11 of the 29 one-, two- and three-room rural schools. It is, of course, possible that this county has more than its share of defectives; but until this has been demonstrated, we have no reason to suppose it is worse than the average.

A survey of mental defectives in the schools of San Luis Obispo, made by the writer and Dr. E. B. Hoag in 1912, brought to light 12 cases of feeble-mindedness in a school population of about 500. This is more than 2 per cent. Other children were found whose mentality was but little above the borderline of mental deficiency.

A study made by a Stanford University student of the school progress of 302 13-year-old children in Stockton, this being the total number of children of that age in the city, showed that 6 per cent. were retarded in their school work to the extent of four years or more, and 2 per cent. five years or more. This would indicate a ratio of feeble-mindedness or something like 3 per cent. Doubtless what is true of the 13-year-olds in that city holds equally for children of other ages.

An investigation by another Stanford University student of retardation in the city of Palo Alto showed that 6 per cent. of the children enrolled in 1912 were three or more years below grade. The school population of this city is only 500, but the writer has personal knowledge of at least 10 feeble-minded children of school age in the city. This is 2 per cent. of the school enrollment. Not all of these, however, are actually attending school.

A much more extensive investigation, involving tests (made under the direction of the writer), of 1000 unselected school-children in 6 cities of California (Oakland, Los Angeles, Santa Barbara, San Jose, Mountain View and Los Gatos), showed a ratio of mental deficiency of 1 per cent. plus, with 1½ per cent. more of such low mentality as to render a diagnosis of normality extremely doubtful.

It is well to emphasize that in the interpretation of the results of psychological tests our standard as to what constitutes mental deficiency has been ultra-conservative. By the standard often employed by others, the proportion classified as feeble-minded would have been nearly twice as high

as by our own standard. We have no hesitation, therefore, in saying that wherever we have made psychological tests among public school-children we have found more than 2 per cent. to be feeble-minded. The proportion of institutional cases for the school population of the state undoubtedly exceeds 1 per cent. This would give a total of more than 4000 feeble-minded school-children for the state. Fully as many more are of such low mentality as to be unable to profit normally from the usual school instruction. These, of course, should be segregated in special classes and given the kind of manual and vocational instruction which will prevent them from becoming burdens to society.

It is interesting to compare the above figures with those from eastern states. Dr. Wilhelmine E. Key has made, for the Public Charities Association of Pennsylvania, a most extensive study of mental deficiency in a certain locality of Northeastern Pennsylvania, comprising about 700 square miles and having a population of 16,000. The population is almost wholly rural and the inhabitants, in the main, were people of respectability and enterprise. Side by side with these, however, were strains of defective stock where feeble-mindedness was rife. The survey involved a study of family histories, school records, criminal records, and statistics of dependency, alcoholism, and sexual immorality. Of the adults 341 were classified as defectives; of the children under 16 years of age, 167. In all, this is 3.2 per cent. of the population of 16,000. Since most of the defectives were found in a small group of families, it is evident that preventive work must first of all look to the curtailment of reproduction among degenerate stocks.

Another intensive investigation of feeble-mindedness of the public schools has recently been made for the State Board of Charities of Delaware, the survey involving a year's work and including all the children of one of the counties of that state. Preliminary tests were given to all the children enrolled, over 2,000 in all, on the basis of which preliminary tests all suspects were picked out for a more complete examination. As a result of the study, more than 1 per cent. of the children were classified as unquestionably feeble-minded, and about as many more as doubtful.

Perhaps the most extensive study yet made of feeble-mindedness in the rural schools of this country was recently carried out by the United States Department of Health in Porter county, Indiana. In this investigation complete Binet tests were made of all the 2185 children enrolled in the schools, the psychological data being supplemented by a thorough medical examination of each child. The results showed approximately 1 per cent. to be institutional cases of feeble-mindedness. Many others were classified as doubtful. Nevertheless, an examination of the tables and figures resulting from this study shows that the standard employed as a basis of classification of the children was extraordinarily conservative. The large majority of psychologists would undoubtedly have classified almost twice as many of the children as feeble-minded on the same test results.

In like manner one could continue indefinitely. State, county and city surveys of greater or less completeness have been made in many parts of the country, and always with similar results. The ratio of feeble-mindedness discovered among the school population is rarely less than 1 per cent. and is not infrequently as high as 2 and 3 per cent. Disregarding slight variations in the figures, the results of such surveys read monotonously alike. Feeble-minded school-children are present everywhere. They linger in the third, fourth, fifth and sixth grades until well into adolescent years. They consume a disproportionate amount of the teacher's time, they drag down the standards of achievement for normal children, they tend to become incorrigible and to feed the never-ending stream of juvenile-court cases. They cannot be dealt with economically in the regular classes of the public schools, and special classes do not afford a solution beyond the age of school attendance; instead, the children are thrown out into a world with which they are too weak to cope, at the very age when, by criminality and by reproduction of their kind, they are able to inflict the greatest burdens upon society. Special classes in great number will always be needed in public schools, but their true function is to deal with doubtful and borderline cases, training as many of these as possible along lines which will enable them to earn an honest

living. Special classes will also provide a moral training which will combat non-social tendencies.

Not until the institutional cases have been removed from the public schools, and not until the borderline cases have been placed in special classes, can the work of the school with normal children proceed as it ought. Feeble-minded children in the regular classes not only interfere with instruction, they are also likely to be a source of moral contagion. We have known a feeble-minded girl of 15 years, 8 years old mentally and so in the third grade with little girls 8 to 9 years, to teach her little classmates the grossest sexual practices. If the facts were known, doubtless this instance could be multiplied by hundreds of others no less revolting.

THE REMEDY — PREVENTION

The number of feeble-minded persons in California is so much greater than our one institution can accommodate, and the burden which they entail upon society is so enormous, that further provision for institutional care is imperative. No one acquainted with the facts can honestly oppose such further provision on the ground of its cost. To do so would be on a par with voting to abolish the fire and police departments of a city because of the cost of their maintenance. The cost of feeble-mindedness is already being paid, and at an enormous and ever-increasing rate. It is in order to reduce this cost that legislation is asked for the purpose of providing an additional state home. The retention in such a home of 1000 morons during the reproductive period will prevent the birth of several thousand of their kind within the next fifty years. A single family of "Kallikaks", "Jukes", "Nams", "Hill Folk", "Pineys", "Zeros", "Ishmaelites", or "Vennams" in three or four generations costs the state in which it resides more than is asked for by the measure herein proposed. If we would preserve our state for a class of people worthy to possess it, we must prevent, as far as possible, the propagation of mental degenerates.

SUMMARY

1. The number of feeble-minded adults in California, as in all other states where investigations have been made, is very great.

2. The proportion of feeble-mindedness in our schools is, on the most conservative basis of estimate, not less than 1 per cent. of the children enrolled. In certain localities the figure is greatly in excess of this.

3. The fact that there are so many feeble-minded children in the public schools not only presents a serious problem as regards the future of such children themselves, but also seriously complicates the educational efforts on behalf of normal children.

4. That feeble-mindedness is one of the most important factors in delinquency, crime, alcoholism, pauperism, prostitution and the spread of venereal diseases, has been abundantly demonstrated.

5. The cost of feeble-mindedness to the state, while it cannot be reckoned accurately, in all probability exceeds \$5,000,000 a year.

6. Three-fourths of the cases of feeble-mindedness are due to a single cause, heredity; and the one hopeful method of curtailing the increasing spawn of degeneracy is to provide additional care for our higher-grade defectives during the reproductive period.

REPORT OF MISSOURI CHILDRENS CODE COMMISSION*

J. E. WALLACE WALLIN, PH.D.

LXXXVII-5

The 1915 legislature of the state of Missouri authorized the governor to appoint a "children's code commission." The chairman of the commission's committee on defective children, Dr. J. E. Wallace Wallin, director of the Psychological Educational Clinic of the St. Louis city schools, has issued a report containing some preliminary suggestions which apply directly to the work in California.

Recommendation No. 1 calls for a law providing for the compulsory commitment to and detention in state institutions of all feeble-minded persons not receiving care and control in their home, and who threaten to become an industrial burden or a social menace.

Diagnosis to be made only by experts:

- a. Examining psychologists who have specialized on feeble-minded and backward children.
- b. Physicians trained in individual psychology.

The Illinois law of 1915 for commitment is approved. It provides for a commission appointed by the court, consisting of "two qualified physicians or one qualified physician and one qualified psychologist."

A large central bureau for mental defectives is advocated; the bureau to aid counties, institutions and public schools to accurately diagnose and classify mentally, socially and educationally abnormal children, and to proffer advice in regard to educational, hygienic and social care of such children; bureau to either certify candidates for commitment or give them a subsequent examination. Cost of such a bureau is estimated at \$15,000 to \$20,000 a year.

An alternate plan is suggested providing for two smaller independent bureaus, one for the schools and one for the courts, police systems and institutions.

*School and Society, IV-98, Nov. 11, 1916, pp. 723-731.

As a minimum recommendation, a smaller bureau for mental defectives as an extension division of the State University; the "human interests" of the state to be served as the "agricultural interests" now are by the resident extension and field activities of the state school of agriculture.

Separate colonies for epileptic and feeble-minded are strongly urged on the basis that feeble-mindedness is a condition and not a malady or disease, except in a very few infrequent types.

For institutions, the recommendation includes:

I. *A central institution* — combining the features of an asylum, school, workshop and farm colony.

This colony to receive:

helpless unimprovable juveniles and adults.

feeble-minded school-children.

" " children already trained for productive work.

" " adult workers.

" " delinquents who can be controlled without prison restraint.

Facilities — Employment for inmates of all degrees of capacity, in shops and on a farm having ample acreage of good farm land.

Superintendent of this central institution should be a man of executive ability who has made a thorough study of feeble-mindedness, especially in its educational, social and industrial phases.

One or more camps — for clearing waste farm lands, to which could be transferred feeble-minded adults and older adolescents whose labor can be utilized profitably in farm work. Some of the lands so improved could be sold at a profit and some could be permanently farmed.

II. *A school and colony* — designed primarily for training of educable feeble-minded, to be located near the most populous center, organized strictly as a school; superintendent a technically trained educator who has specialized in training and care of feeble-minded; teachers should hold certificates.

Sufficient arable acreage and sufficient workshops to provide opportunities for training children in hand crafts and trades, as well as in agricultural pursuits.

For educable feeble-minded children who are dependent or neglected, or who cannot receive the practical training which their limited capacities require in home communities.

Also for productive employment, care and protection of older feeble-minded youths already trained in public schools. No low-grade asylum cases to be admitted.

Those who finish their training, or who reach their majority, and whom the school cannot provide employment for, or who cannot be safely restored to society, to be transferred to the central colony or to one of the camps.

III. *Immoral feeble-minded girls* — to be confined in detached cottages either in existing industrial homes for girls, or at the central colony for feeble-minded, or at both institutions.

IV. *Epileptics* — to have separate colony. There should be a system inaugurated by which all children suspected of being feeble-minded should be reported to the proper state officer from all public and private schools. These to be examined by the proposed state bureau of psychological diagnosis, in case the schools themselves do not maintain a psycho-educational clinic.

FEEBLE-MINDEDNESS AND DELINQUENCY

J. HAROLD WILLIAMS, Ph. D.

Director of Research, Whittier State School.

LXXVII-5

Delinquency an expression of feeble-mindedness. In no way does the problem of feeble-mindedness attract the attention of social investigators as in the economic and social waste incident to its expression in bad conduct. It is reasonably safe to estimate that of the nearly 60,000 delinquent children enrolled annually in state institutions for delinquents in the United States, one-third, or 20,000, are definitely feeble-minded. Such children, of course, are not primarily subjects for institutions for delinquents; their presence there being due to the inadequacy of facilities for caring for the feeble-minded, together with the fact that the feeble-minded delinquent is a relatively recent discovery.

Not only are many of these 20,000 feeble-minded delinquent children under the necessity of competing with normal and near-normal children, and thus inadequately trained at the expiration of their terms, but, under our present laws, which make no distinction between the normal and the feeble-minded with reference to the attainment of "majority," they will be automatically released at the age of twenty-one to produce children who are likely to be very much like themselves.

What investigations show. Much attention has been given the past few years to the investigation of the intelligence of delinquent children. These investigations, carried on for the most part by clinical psychologists, have shown that a large proportion of delinquent children are feeble-minded. The following investigations are fairly representative of these studies.

1912: Dr. G. G. Fernald, at the Massachusetts State Reformatory, found 25 per cent. of 100 male delinquents to be feeble-minded.

1912: Dr. H. H. Goddard, examining 100 cases of both sexes in the juvenile court at Newark, New Jersey, found approximately 66 per cent. feeble-minded. This was one of the earlier investigations in which the Binet tests were used.

1912: Dr. Sullivan found 33 per cent. of the inmates of Hollway Prison, England, to be feeble-minded.

1912: Morrow and Bridgman; Training School, Geneva, Illinois; 66 per cent. feeble-minded.

1913: Monkemoller; Home for Neglected Children, Berlin, Germany; 50 per cent. feeble-minded.

1914: Dr. Rudolf Pintner; Juvenile Court, Columbus, Ohio; 46 per cent. feeble-minded.

1915: Dr. Thomas H. Haines; Ohio State Industrial School; 200 cases, 60 per cent. feeble-minded.

1916: Dr. Grace M. Fernald; California School for Girls; 124 cases, 34 per cent. feeble-minded.

1917: Whittier State School; records in the Department of Research indicate that approximately 35 per cent. of 375 cases are feeble-minded. In this study, account has been taken of field data including the family history, educational opportunities, home and neighborhood conditions, physical examinations, etc., in addition to carefully given tests of intelligence.

The fact that the results of these investigations do not agree in detail as to the exact proportion of feeble-minded in different institutions, is a matter of no great importance. These differences may be easily explained in a number of ways. It is significant, however, that in all cases where investigations have been made, the proportion of feeble-mindedness among delinquent children is found to be far greater than has been found among ordinary children in the public schools.* It is also significant, in the interests of accuracy, that for the most part these and other investigations have included both standardized intelligence tests and extensive supplementary data.

Why feeble-minded children become delinquent. Feeble-mindedness in its modern meaning implies the lack of sufficient intelligence to meet

*Estimates and surveys by Dr. H. H. Goddard, Dr. Lewis M. Terman, and others, indicate that the proportion of feeble-minded children in the public schools is between 2 and 3 per cent. If these estimates hold for California, the number of feeble-minded children in this state is not far from 10,000.

the common problems of life with ordinary prudence. The feeble-minded boy is very apt to become backward in school, because other boys of his age, for reasons which he cannot understand, are able to do much better work and consequently to advance in school at a more rapid rate. Unless there is a special class in the school (and there are too few of these at the present time) no feeble-minded boy or girl is likely to advance much beyond the fifth or sixth grade. At this point school work is often discontinued and it becomes necessary to face the problems of life, which appear under conditions equally unfair. Unable to make an honest living, too feeble in mind to understand, and too weak in will power to resist temptations, delinquency or some other form of waywardness is the almost inevitable result.

Case histories on file at the Whittier State School show that in many cases delinquency has had its origin in the sources just described. Dr. Lewis M. Terman in his recent book on "The Measurement of Intelligence" says:

All of us in early childhood lacked moral responsibility. We were as rank egoists as any criminal. Respect for the feelings, the property rights, or any other kind of rights, of others had to be laboriously acquired under the whip of discipline. But by degrees we learned that only when instincts are curbed, and conduct is made to conform to principles established formally or accepted tacitly by our neighbors, does this become a livable world for any of us. Without the intelligence to generalize the particular, to foresee distant consequences of present acts, to weigh these foreseen consequences in the nice balance of imagination, morality cannot be learned. When the adult body, with its adult instincts, is coupled with the undeveloped intelligence and weak inhibitory powers of a 10-year-old child, the only possible outcome, except in those cases where constant guardianship is exercised by relatives or friends, is some form of delinquency.

A few cases. (1) John F. Age 19 years, 3 months. Mental age, 8 years, 10 months. White. Principal offense, burglary, Committed at 13 years, paroled, and returned at 19. Psychopathic. High-strung, nervous and excitable. Takes any suggestion very quickly. Mind wanders in many directions. Spends much time relating supposed adventures, and telling what he expects to do when he has a chance to become an outlaw. Says he has a number of persons "spotted" upon

whom he expects to take revenge for various reasons, most of which do not stand analysis. Was caught with his younger brother, and led by some Mexican-Indians, in the act of blowing up a safe. He says "I'll bet they won't catch me again like that. I'll have a spotted pony that will go like the wind." Says his chief ambition industrially is to "wash pots." Has had very little schooling, never having succeeded in going beyond the first grade. Nothing is known of his family, except that his father, who is now dead, was a miner, and came to this country from England. This boy has recently been adjudged insane, and is now in a state hospital. There is no doubt as to his vicious nature, and he is plainly a case that should not be in an institution for delinquents. He has several times threatened to kill, and it is not improbable that some of his threats would have been carried out had the opportunity been offered.

(2) Horace K. Age 14 years. Mental age, 9 years. White. Very nervous, sullen, stubborn, lazy and unruly. Committed to Whittier State School at 14 years of age. Principal offense, larceny. Has been arrested several times for burglary, petty thieving and truancy. Said to have "assisted" in theft of a watch and chain. Probably was urged to the offense by some person who took advantage of his low intelligence. Lived in a good neighborhood, but in an untidy and poorly furnished home. Parents not interested in children. Had four-room house with plenty of play space. Father is intemperate. Boy was in special school for 7 years. Said to have reached grade VI. Probably will not develop mentally beyond 11-year level.

(3) Wilbur J. Age 13 years. Mental age, 10 years, 1 month. Committed at 11 years of age for dependency. Also charged with stealing and incorrigibility. Very slow, dull and inactive. Attended school six years, promoted to fourth grade. Unable to do better than second-grade work satisfactorily. Takes little interest in play and games of other boys, and is stubborn and unwilling to co-operate with them when he does play. Will sit for long periods with his mind apparently a blank. Tests were responded to only with great difficulty. Reaction time intolerably slow. A long period of waiting, when asked a question, often closes with "I don't know," or, "What did you say?" Boy does fairly

well, as regards conduct, under institution's supervision. Very clearly will never be able to make a living entirely upon his own responsibility. Probable limit of development, 11-year level.

In Dr. Goddard's recent book "The Criminal Imbecile" he tells of three murder cases in which the subjects were feeble-minded men of the moron group, each having an intelligence level of less than 11 years. The crimes attributed to them, and their conduct with which the crime had been associated, furnish valuable supplementary information to the results of the psychological tests which showed that these three men, although physically adults, were possessed of minds not more highly developed than those of young children. Dr. Goddard estimates that perhaps 50 per cent. of our criminals are feeble-minded.

The influence of heredity. Studies of entire families of feeble-minded persons have resulted in the discovery that delinquency, criminality, pauperism and other forms of social degeneracy may appear in a number of successive generations because of the hereditary nature of feeble-mindedness. The results of investigations of the now well known "Jukes," "Kallikaks", "Nams", "Pineys", "Hill Folk", the "Tribe of Ishmael," the "Family of Sam Sixty," etc., bear witness to the terrible social consequences of the perpetuation of feeble-minded stock.

The influence of environment. Hereditarily weak and degenerate stock has little chance for the expression of normal conduct, even under the best of environmental conditions. Since, however, human beings are very largely the makers of their own environment, the surroundings of feeble-minded families furnish a relatively fair index of the mental conditions. A feeble-minded boy whose parents are feeble-minded, is thus confronted with many of the conditions which influence delinquency through both his native endowment and his surroundings.

The value of institutional care. It is safe to estimate that at least one-third of the juvenile delinquency in California can be prevented by the segregation, in their early years, of feeble-minded children. Separated from their normal competitors these children will have neither the opportunity nor the inclination to become delinquent. They will be cared for

by persons who understand their mental condition and whose entire energies will be expended toward their happiness and usefulness, based upon the level of intelligence which each child possesses. If taken early in life the long period of training from childhood to maturity will assist materially in forming habits of self-preservation. They will not be subjected to the "lock step" system prevalent in so many of our public schools, and the training and instruction will be based upon the *mental* rather than the *chronological* age. At majority, instead of being compelled automatically to face the world because of a certain age, they may continue in the work which they have been trained to do, and not having any families dependent upon them will have every advantage for living useful lives. Moreover, they will not contribute to the perpetuation of the defective delinquent class.

RECOMMENDATIONS OF THE COMMITTEE

The committee presents for passage a bill which we believe incorporates the views expressed in the foregoing report. A summary of the bill appears on page 65, immediately followed by the text of the bill as presented.

In general, we recommend:

First—The creating of a new institution for feeble-minded and epileptic persons, to be located in Southern California, and present a bill for your favorable consideration and passage at this session of the legislature.

Second—Increased facilities for conducting research work in state institutions.

Third—That suitable provision be made for a comprehensive study of the problem presented by the wards of the state, and to determine a policy and plan for the most effective co-operation in the conduct of all state institutions.

We have the honor to be:

Yours respectfully,

FRED. C. NELLES, Chairman
Superintendent, Whittier State School

W. E. McVAY
BENJ. F. PEARSON
PRESCOTT F. COGSWELL
Trustees, Whittier State School

MRS. W. S. JAMES
FRANKLIN BOOTH
For Psychopathic Association of California

Committee appointed by Act of the legislature approved
June 11, 1915, Chapter 729 Statutes of California, 1915.

SUMMARY OF BILL PRESENTED TO THE LEGISLATURE

It is the desire of the committee to incorporate into the proposed bill for presentation to the legislature the best that experience and judgment can offer. Acknowledgment is hereby made of many valuable suggestions received, and still further opportunity is afforded interested persons to present their views, so that the bill in its final form may be the best that the combined wisdom of all can devise.

The committee presented in the "preliminary statement" a general outline of a proposed measure, indicating progress made to date, and invited criticism, suggestion, or endorsement. The bill was referred to as "1915 Legislature Committee bill for care of feeble-minded."

Name of the Institution. The hope had been expressed that the name of the institution should not include reference to the type of persons for whom it is intended, but rather that the experience of eastern states shall be utilized to provide such a name as the "Letchworth Village," the "Burlington Colony," etc. For legal purposes, however, it shall be known as an institution for the care and training of feeble-minded and epileptic persons. The committee will welcome suggestions as to a suitable name.

Purpose of the Institution. The institution should provide adequate custodial care and training for its inmates. The committee is of opinion that this care and training should be based largely upon intelligence levels as determined by psychological examination, observation, and supplementary investigations. Provision should be made for the scientific study of the group of individuals thus gathered, with a view to discovering the best means of correcting the social conditions which make it necessary to maintain such institutions.

In considering the advantages of creating such an institution for the proper care of the mentally defective as unfortunate individuals, there is also to be remembered the benefit to society of thus being relieved of the menace of their unsocial conduct, and of having segregated persons who might otherwise produce children equally helpless in the struggle for existence.

Commitment. It is proposed that the essential points of the plan of commitment now in practice at the Sonoma State Home

will be followed. Superintendents of other institutions in the state to have the right to apply for transfer of eligible persons to the new institution. At the time of this writing the committee is having inquiry made into the various plans followed in other states.

Feeble-mindedness Defined. At the present time there is no clear statement in the California law defining feeble-mindedness. It is proposed to suggest a definition.

Facilities for Research. Adequate provision should be made for the psychological diagnosis of inmates and their subsequent classification and observation, and for systematic inquiry into the personal and family history of all inmates, with the object of throwing light upon the causes which have brought about the commitment. Investigations should be published so that the people of this and other states may receive the benefit of information secured relative to mental deficiency, and related problems.

Court Proceedings. Provision is made so that in the case of juveniles brought before the court under the Juvenile Court Law, the court may adjourn proceedings or suspend sentence and direct some person to proceed under this Act.

Observation and Testing. Provision is made so that persons may be received, tested and placed under observation for the purpose of determining whether or not they are feeble-minded.

Epileptics. The state has not as yet established an institution for the care of epileptics. It is considered wise to make provision so that on commitment of the court epileptic persons under the age of twenty-one years may be cared for in the new institution, and epileptic persons over twenty-one may be received on application made direct to the institution. It is considered that this will form the nucleus of a colony that may ultimately be separately provided for.

Transfers. Provision is made for removal of feeble-minded persons from state schools or other institutions to the new institution.

Sterilization. It is considered wise to arrange so that on the recommendation of competent medical and psychological authority, feeble-minded persons in the institution may be sterilized.

Persons to be Committed. Feeble-minded persons without restrictions as to age or sex. Provision to be made for a moron colony, an epileptic colony, and for proper segregation of other groups.

Administration. It has been suggested that the institution should be under control of a board of three trustees, to be appointed by the Governor; their terms of office to be four years, following the plan in force for the control of existing state institutions.

Receiving of Land and Money. The board of trustees should be authorized to take and hold, in trust for the state, any grants of land or money or personal property donated, bequeathed, or otherwise devised for the use of the institution, and to invest and use the proceeds of such investments for the best interests of the institution.

Purchase of Site. It is recommended that the legislature name the board of trustees and the superintendent as the committee which shall select and purchase a site for the institution, securing the opinion of the state Department of Engineering as regards water, light, power, sanitation and the engineering problems involved; the University of California to test the soil; the purchase to be subject to the approval of the State Board of Control as to price.

Size and Location. It has been suggested that the tract of land on which the institution is established should be preferably not less than 1000 acres. Persons making this suggestion believe that a satisfactory development of the institution would demand at least this amount of space. The consensus of opinion seems to be that the institution should be located in Southern California.

The committee finds that a belief was prevalent in Southern California to the effect that the institution should be located near the ocean. In the northern part of the state, however, the committee is informed of an equally prevalent opinion that a location near the ocean is unnecessary, provided that the site chosen be reasonably adapted to the comfort and welfare of the inmates. Whatever may be the correct solution we are reminded that feeble-minded persons are not, for the most part, of such nervous constitution that, in the selection of a site suitable for them, we must be restricted by the same considerations as might apply in the case of an institution for the insane.

The committee has inspected many properties suggested as suitable. Information concerning various sites and suggestions regarding buildings will be made available for the Trustees and Superintendent.

Reports. The biennial report of the institution should cover the work done during the year, the number of inmates, their sex, nativity, residence, date of reception, level of intelligence as determined by standardized psychological tests, and the results of the psychological and other investigations which have been made; together with such other information as may be prescribed by the board of trustees, the State Board of Control and other authorized persons.

Appropriation. The committee is of the opinion that an appropriation of \$250,000 should be asked for from the legislature of 1917, this amount to cover the purchase of land, erection of a few buildings, and maintenance of the institution during what remains of the first two years.

Full text of the bill as introduced in the Assembly by T. L. Ambrose as Assembly Bill No. 602, follows, beginning on the next page.

AN ACT

TO ESTABLISH AN INSTITUTION FOR THE CARE, TRAINING, CONFINEMENT, DISCIPLINE AND INSTRUCTION OF FEEBLE-MINDED AND EPILEPTIC PERSONS AND FOR THE STUDY OF MENTAL DEFICIENCY AND RELATED PROBLEMS, TO PROVIDE FOR COMMITMENT THERETO, FOR THE MAINTENANCE THEREOF, FOR THE MANUFACTURE OF CERTAIN ARTICLES FOR SALE, AND TO MAKE AN APPROPRIATION THEREFOR.

The people of the State of California do enact as follows:

1 SECTION 1. There is hereby created an institution to be
2 known as The Pacific Colony and which is hereby declared
3 to be a corporation.

4 SEC. 2. The said institution shall be under the control
5 of a board of three trustees, to be appointed by the Gover-
6 nor, one for one year, one for two years, and one for three
7 years, and thereafter for terms of four years each, to hold
8 office until their successors are respectively appointed and
9 qualified. The Governor shall fill vacancies occurring from
10 any cause in the membership of such board, and the first
11 board shall be appointed within thirty days after this Act
12 takes effect.

13 SEC. 3. The said trustees shall annually elect from
14 their own number a chairman and a vice-chairman, whose
15 terms of office shall be one year and until their successors
16 shall be duly appointed and qualified.

17 SEC. 4. The board of trustees may, from time to time,
18 establish such by-laws, rules and regulations, not inconsis-
19 tent with the laws of the state, as they may deem exped-
20 ient for the efficient management and government of the
21 said institution, for the transaction of its business and the
22 holding of its meetings.

1 SEC. 5. If any trustee fail, for three months, to attend
2 the regular meetings of the board, unless he is ill or
3 absent from the state, his office shall become vacant, if the
4 board, by resolution, so declare. A copy of any such
5 resolution, certified by the secretary of the board, must
6 thereupon be forthwith transmitted to the Governor.

7 SEC. 6. The trustees shall be entitled to receive as
8 compensation for their services, while in the actual dis-
9 charge of their duties as such trustees, ten dollars per
10 day each; *provided*, that the total thereof shall not
11 exceed two hundred and forty dollars in any one year for
12 any trustee; and *provided*, that if such services be per-
13 formed on two or more consecutive days, there shall in
14 such case be remuneration paid for one day only; and
15 *provided*, also, that the trustees shall be entitled to receive,
16 in addition to such compensation, all of their necessary
17 expenses while attending to the business of the institution.

18 SEC. 7. The board of trustees shall appoint a super-
19 intendent, not of their own number, who shall be a resi-
20 dent of the institution and shall have charge, management
21 and control of the same and of its property, and shall
22 have the charge, control, discipline and training of its
23 inmates, subject to the direction of the board of trustees;
24 and he shall give a bond to the state in such sum and
25 with such sureties as will be satisfactory to the State
26 Board of Control, for the faithful performance of his du-
27 ties. The board of trustees shall appoint a secretary who
28 shall perform such duties as the board may direct. The
29 superintendent may be appointed to that position.

30 SEC. 8. The superintendent shall, subject to the
31 approval of the board of trustees, employ (with power to
32 discharge) a treasurer and such other officers and employ-
33 ees as he may consider proper and necessary for the effi-

cient carrying into effect of the design of the said institution, determine their titles, and prescribe their duties.

Sec. 9. The treasurer shall receive and disburse all moneys and keep account of the same, under the direction of the board of trustees, but subject to such supervision or control as is vested by law in the State Board of Control, and he shall give a bond to the state in such sum and with such sureties as will be satisfactory to the State Board of Control for the faithful performance of his duties.

SEC. 10. The board of trustees shall fix the compensation of the superintendent, whose salary shall be not less than three hundred dollars (\$300) per month, and the superintendent shall fix the compensation of the other officers and employees, subject to the approval of the board of trustees.

SEC. 11. The board of trustees, together with the superintendent, are hereby empowered and instructed to purchase on behalf of the state, in the southern part thereof, for the use of the said institution, such a site as they may deem most advantageous, of preferably not less than eight hundred acres, subject to the approval of the State Board of Control as to the purchase price. The state Department of Engineering shall, at the request of the board of trustees, and with the approval of the State Board of Control, examine into the matter of water, light, power and sanitation, and the engineering problems involved, in connection with any site or sites the board may investigate with a view to purchasing, and shall report thereon to the board of trustees, with special regard to the suitability of such site or sites for the purposes of the institution.

The University of California shall, on the approval of the State Board of Control, render to the board of trus-

tees such reasonable assistance as the board may desire, in determining the quality and character of the soil of such site or sites for agricultural, horticultural and other purposes, and its suitability for the purposes of the institution.

The said trustees and superintendent, the said state Department of Engineering, and the said university, shall be entitled to receive their necessary expenses in connection with said investigations and the selection and purchase of said site.

SEC. 12. The board of trustees shall erect the necessary buildings for said institution, subject to such supervision or control as is by law vested in the state Department of Engineering.

SEC. 13. The board of trustees is authorized and required to purchase such equipment, furniture, supplies and materials, as it may deem suitable for the proper completion and furnishing of the said buildings, and for the operation and maintenance of the said institution, subject to such supervision or control as is by law vested in the State Board of Control and the State Purchasing Agent.

SEC. 14. The said institution may take and hold in trust for the state any grant or devise of land, or any donation or bequest of money or other personal property, heretofore or hereafter granted, devised, donated, or bequeathed to the use of the institution, and shall dispose of the same in accordance with the wishes of the donor, or testator, if expressed, and if no condition be attached thereto, or insofar as any wishes expressed do not prevent, then to invest and reinvest the same, or to change the investment thereof, as to the board of trustees may seem best, and to use the income arising therefrom for the best interests of the institution.

1 SEC. 15. The board of trustees shall prescribe and pub-
2 lish instructions and forms, in relation to the commitment
3 and admission of inmates, and may include in them such
4 interrogatories to be answered as it may deem necessary
5 or useful; which instructions and forms shall be furnished
6 to any one applying therefor, and shall also be sent in suffi-
7 cient numbers to the county clerks of the several counties
8 of the state.

9 SEC. 16. The following persons, if not insane, shall be
10 held to be "feeble-minded" within the meaning of this
11 Act:

12 *a.* Those who are so mentally deficient that they are
13 incapable of managing themselves and their affairs inde-
14 pendently, with ordinary prudence, or of being taught to
15 do so, and who require supervision, control, and care, for
16 their own welfare, or for the welfare of others, or for the
17 welfare of the community; or

18 *b.* Those whose intelligence, in the judgment of one or
19 more psychologists, when they have been examined by
20 such psychologist or psychologists making use of stand-
21 ardized psychological tests and whatever supplementary
22 material may be available, will not develop beyond the
23 level of the average child of twelve years.

24 SEC. 17. Whenever any parent, guardian or other per-
25 son charged with the support of a supposedly feeble-
26 minded person who is not insane, or an epileptic under
27 twenty-one years of age, desires such person to be ad-
28 mitted into the said institution, he may petition the super-
29 ior court of the county in which such person resides
30 for an order admitting such person thereto; the petition
31 shall disclose his reasons for supposing such person to
32 be eligible for admission thereto, and shall be verified
33 by the affidavit of the petitioner. Or whenever any peace

1 officer desires any such supposedly feeble-minded or epilep-
2 tic person to be so admitted, he may petition the said court
3 as aforesaid for an order therefor; *provided*, he shall have
4 given two days previous written notice of the date of the
5 presentation of the petition, personally or by United States
6 mail, to such parent, guardian or other person charged with
7 such support, if known to him, and if not so known, then
8 to some other relative or friend, if any known to him, re-
9 siding in the said county, an affidavit whereof, together
10 with the names, addresses and relationship of the parties
11 so notified, and the facts of his said knowledge or want of
12 knowledge, shall be filed with the petition.

13 SEC. 18. The court may cause a warrant to issue for the
14 arrest and delivery to the court of such supposedly feeble-
15 minded or epileptic person, whenever considered advisable
16 or necessary, and have the same executed by any peace
17 officer.

18 SEC. 19. The judge of the said court must inquire
19 into the condition or status of such supposedly feeble-
20 minded or epileptic person, for which purpose he may by
21 subpoena require the attendance before him of a clinical
22 psychologist and a reputable physician, or one of each, or
23 two of either, to examine such person and testify as to
24 his or her mentality. Such physicians must have made a
25 special study of mental deficiency and be qualified to
26 act as "medical examiners." The said judge may also by
27 subpoena require the attendance of such other persons
28 to give evidence as he may deem advisable, and if the
29 judge find such person to be a feeble-minded person, as
30 defined by section 16 of this Act, or an epileptic person un-
31 der twenty-one years of age, and that such person has
32 been a resident of the state for at least one year next pre-
33 ceding the presentation of the petition, such judge may

1 make an order of commitment to said institution, and on
2 the presentation of such order the superintendent must re-
3 ceive such person therein; *provided*, that, in the opinion of
4 the board of trustees, the condition of such person, the ac-
5 commodation at the said institution, and the state of its
6 finances, be such as to justify the receiving of such person.

7 Pending the said investigation the said supposedly
8 feeble-minded or epileptic person may be left in charge of
9 the parent, guardian or other suitable person, or in a de-
10 tention home.

11 SEC. 20. The judge shall attach to the order of com-
12 mitment his findings and conclusions, together with all
13 the social and other data he may have bearing upon the
14 case, and the same shall be delivered to the said insti-
15 tution with such order. The judge must inquire into
16 the financial condition of the parent, guardian or other
17 person charged with the support of any such person,
18 and if he find him able to do so, in whole or in part,
19 he must make a further order, requiring him or her to pay,
20 to the extent the judge may consider him or her able to
21 pay, the expenses of the proceedings in connection with
22 the investigation, detention and commitment of such per-
23 son, and the expenses of the delivery thereof to the
24 institution, and to the institution, at stated periods,
25 such sums as, in the opinion of the judge, are proper,
26 during such time as the person may remain in the
27 institution. This order may be enforced by such further
28 orders as the judge deems necessary, and may be varied,
29 altered or revoked in his discretion.

30 SEC. 21. In case of the dismissal of the said petition,
31 the judge may, if he considers the petition to have been
32 filed with malicious intent, order the petitioner to pay the
33 expenses in connection therewith, and may enforce the

1 same by such further orders as he may deem necessary.

2 SEC. 22. Any one who shall knowingly contrive to have
3 any person adjudged feeble-minded under this Act, unlaw-
4 fully or improperly, shall be deemed guilty of a misde-
5 meanor.

6 SEC. 23. When a boy or girl is brought before a juven-
7 ile court under the juvenile court law, if it appear to the
8 court, either before or after adjudication, that such per-
9 son is feeble-minded within the meaning of this Act; or if
10 on the conviction of any person of crime by any court it
11 appear to the court that such person is feeble-minded
12 as aforesaid, the court may adjourn the proceedings or
13 suspend the sentence, as the case may be, and direct some
14 suitable person to take proceedings under this Act against
15 the person before the court, and the court may order that,
16 pending the preparation, filing, and hearing of the petition,
17 the person before the court be detained in a place of safety,
18 or be placed under the guardianship of some suitable per-
19 son, on his entering into a recognizance for the appearance
20 of the person upon trial or under conviction, when requir-
21 ed. If upon the hearing of the petition, or upon a subse-
22 quent hearing under this Act, the person upon trial or
23 under conviction be not found to be feeble-minded, the
24 court may proceed with the trial or impose sentence, as the
25 case may be.

26 SEC. 24. The superintendent may admit to The Pacific
27 Colony temporarily, without commitment, under such rules
28 and regulations as the board of trustees may prescribe, for
29 purposes of observation and testing, such children or adults
30 as are suspected of being feeble-minded, to ascertain
31 whether or not they are actually mentally defective, and
32 proper cases for care, treatment and training in an institu-
33 tion for the feeble-minded, and if such is found to be the

1 case, application may be made to the superior court for an
2 order of commitment of such persons to such an institution.
3 On presentation of an affidavit or affidavits of the facts
4 upon which such opinion is based, the judge of the said
5 court may make such order.

6 SEC. 25. Each psychologist and physician shall be en-
7 titled to receive for each attendance mentioned in section
8 19 the sum of \$5 for each person examined, together with
9 his necessary actual expenses occasioned thereby, and other
10 witnesses shall be entitled to receive for such attendance
11 such fees and expenses as the court in its discretion may
12 allow, if any, not exceeding the fees and expenses allowed
13 by law in other cases in the said courts.

14 SEC. 26. Any fees or traveling expenses payable to a
15 psychologist, physician or witness as aforesaid, and all ex-
16 penses connected with the execution of any process under
17 this Act, which may not be paid by the parent, guardian or
18 person charged with the support of the said supposed
19 feeble-minded or epileptic person, shall be paid by the
20 county treasurer of the county in which such person ré-
21 sides, upon the presentation to the treasurer of a certificate
22 of the said judge that the party is entitled thereto.

23 SEC. 27. The said board of trustees, when it shall deem
24 desirable, owing to the mental condition of an inmate of
25 the Pacific Colony, may, with the approval of the State
26 Commission in Lunacy, transfer such inmate to a state
27 hospital for the insane, provided that, on due investigation
28 by such commission, the commission shall consider such
29 inmate a fit subject therefor. And the said commission,
30 whenever on due observation and investigation it shall
31 consider a patient in any state hospital for the insane
32 eligible for commitment to the Pacific Colony, may, with
33 the approval of the said board of trustees, transfer such
34 patient thereto, for care and treatment therein.

1 SEC. 28. Inmates of the Sonoma State Home may be
2 transferred to The Pacific Colony, and inmates of The
3 Pacific Colony may be transferred to the Sonoma State
4 Home, at any time and from time to time as may be
5 agreed upon by the boards of trustees of the two institu-
6 tions, upon the application of the parent, guardian or other
7 persons charged with the support of such inmate, *provided*
8 he pay the expenses thereof, and may, with the approval
9 of the State Board of Control, be so transferred without
10 such application and without such payment, in which latter
11 case the expenses thereof shall be paid by either or both
12 of such institutions as may be determined by the State
13 Board of Control.

14 SEC. 29. In the event of the transfer of any inmate or
15 patient as provided in sections 27 and 28 of this Act, the
16 liability of any estate, person or county for the care, sup-
17 port and maintenance of such person shall be the same to
18 the institution to which the person is transferred as it was
19 to the institution from which the transfer is made.

20 SEC. 30. It shall be the duty of the sheriff of any
21 county wherein an order is made by the judge of the
22 superior court committing any person to The Pacific
23 Colony, or of any other person designated by the
24 said judge, to execute the writ of commitment, and to
25 receive as compensation therefor such fees as are now or
26 may hereafter be provided by law for the transportation
27 of prisoners to the state prison; *provided*, that in all cases
28 the parent, guardian or other person charged with the
29 support of such person may, at his option, with the appro-
30 val of the said judge, and in all cases where he is able or
31 the estate of such person is sufficient shall, if the said
32 judge approve, without expense to the county or state,
33 execute said writ, after being duly sworn therefor, with

1 like effect and with like powers as the sheriff would have;
2 but no such person, being a female, shall be taken to the
3 said colony by any male person not her husband, father,
4 brother or son, without the attendance of some woman of
5 good character and mature age, chosen for the purpose by
6 the judge, which woman shall, if the judge see fit, be paid
7 therefor such reasonable remuneration as he may allow.

8 SEC. 31. For each person committed to The Pacific
9 Colony there shall be paid by the county from which
10 he is committed, to the state Treasurer, the sum of fif-
11 teen dollars (\$15) monthly, for and during each month
12 or part of month such person so committed remains an in-
13 mate of the institution, in case the payments herein pro-
14 vided to be made by the parent, guardian or other person
15 charged with the support of any such person should not
16 be made, and to the extent they are not made, not exceed-
17 ing fifteen dollars per month.

18 SEC. 32. Each county auditor must include in his state
19 settlement report, rendered to the Controller in the months
20 of May and December, the amount due under this Act, by
21 reason of commitment to The Pacific Colony, and the
22 county treasurer, at the time of the settlement with
23 the state in such months, must pay to the state Treas-
24 urer, upon the order of the Controller, the amounts found
25 to be due by reason of the commitments herein referred to.

26 SEC. 33. The board of trustees, when the accommoda-
27 tions of The Pacific Colony permit, if such action does
28 not conflict with the interest or welfare of committed
29 cases, may admit for any stated period of time, with-
30 out judicial commitment, epileptics and such persons as
31 are hereinbefore specified as eligible for admission, upon
32 such terms of special payment, gift, bequest, donation,
33 legacy, transfer of real or personal property, or other law-

1 ful procedure, as may appear to it to be to the best inter-
2 ests of the state.

3 SEC. 34. Any boy who has been or may hereafter be
4 committed to the Preston School of Industry, or the
5 Whittier State School, or any girl who has been or may
6 hereafter be committed to the California School for Girls
7 at Ventura, or to any similar institution now or hereafter
8 created, who comes within the provisions of this Act, may,
9 on application to a judge of the superior court of the
10 county in which such person may be located, by the super-
11 intendent of the institution to which he or she has been
12 committed, be discharged from such last mentioned insti-
13 tution, and be recommitted, for an indeterminate period, to
14 The Pacific Colony, to the Sonoma State Home, or to
15 any similar institution hereafter created; *provided*, the
16 findings of the judge and the opinion of the board of
17 trustees of the institution to which such boy or girl is
18 sought to be committed are the same as on the commit-
19 ment to and receiving into The Pacific Colony of
20 other persons as aforesaid; and *provided*, that there shall
21 have been served upon such relatives of said boy or girl,
22 or upon such other persons and in such manner as the said
23 judge may deem necessary or proper, such notice of the
24 application as he shall consider sufficient, in order to
25 enable them to be heard on the application.

26 SEC. 35. The object aimed at in The Pacific Colony
27 shall be such care and training of its inmates as to
28 render them more useful and happy, and tend to make
29 them as nearly self-supporting as their level of intelli-
30 gence may permit.

31 SEC. 36. The Pacific Colony may manufacture or raise
32 for sale such articles of furniture, supplies or produce
33 as may be used in the said or any other state institu-

1 tion, subject to the approval and under the control of the
2 State Board of Control.

3 SEC. 37. The Pacific Colony shall have a department
4 for the clinical diagnosis of inmates, and their subse-
5 quent classification and observation, with a view to their
6 proper segregation and treatment.

7 SEC. 38. The superintendent shall, at least two weeks
8 before the discharge of any inmate, have made, by a trained
9 clinical psychologist, an examination of the mental con-
10 dition of such inmate, and a permanent record thereof
11 shall be kept in the office of the superintendent; which
12 record shall be open to the inspection of all state boards
13 or commissioners authorized by law to investigate or in-
14 spect the institution.

15 SEC. 39. The superintendent shall issue, at the end of
16 each period of two years, a report of the work done during
17 that period, giving the number of inmates received within
18 that time, their sex, nativity, residence, date of reception,
19 level of intelligence determined as aforesaid, and the
20 results of the investigations that may have been made;
21 such report shall also give the number of inmates discharg-
22 ed during that period, with the date and reason therefor,
23 and the names of all paying inmates, the amounts
24 charged for them, and the amounts received therefrom,
25 together with such other information or suggestions as
26 shall be required by the board of trustees or the State
27 Board of Control, or to the superintendent may seem de-
28 sirable; which report shall be kept on file in the office of
29 the superintendent, but shall not be printed. A copy of
30 such report shall be sent to the Governor, along with the
31 biennial report of the board of trustees, and may be print-
32 ed for the use of the legislature or for distribution, *pro-*
33 *vided* the names of the inmates are not given or their
34 identity made evident.

1 SEC. 40. The board of trustees may discharge, or
2 the superintendent may grant a temporary leave of ab-
3 sence to, any inmate at any time.

4 SEC. 41. Before any inmate who has been committed to
5 The Pacific Colony, and who is feeble-minded or is afflicted
6 with incurable chronic mania or dementia, shall be released
7 or discharged therefrom, the board of trustees, on the
8 recommendation of the superintendent, approved by a clin-
9 ical psychologist holding the degree of Ph. D. and a physi-
10 cian qualified to serve under section 19 of this Act, after
11 they have made a careful investigation of all the circum-
12 stances of the case, may cause such person to be sterilized;
13 and such sterilization, whether with or without the consent
14 of the inmate, shall be lawful, and shall not render the said
15 commission, or its members, or any person participating
16 in the operation, the said trustees, the said colony, or any
17 of its officers or employees, liable civilly or criminally.

18 SEC. 42. No civil action shall be brought against the
19 trustees, the superintendent, or any other officer or em-
20 ployee of the said colony, because of any act done
21 or failure to perform any act while discharging his official
22 duties, without leave of the Controller first had or obtained.
23 Any just claim for damages against such trustees, super-
24 intendent, officer or employee, for which the state would be
25 legally or equitably liable, may be paid out of any moneys
26 appropriated for the said institution.

27 SEC. 43. Any person, not authorized by law, who
28 brings into the said colony, or within the grounds
29 adjoining or adjacent thereto, any opium, morphine, co-
30 caine, or other narcotic, or any intoxicating liquor of any
31 kind whatever, except for medicinal purposes, or any fire-
32 arms, weapons, or explosives of any kind, is guilty of a
33 misdemeanor.

1 SEC. 44. If any person procure the escape of any
2 male inmate of the said colony, or advise, connive at,
3 aid or assist in such escape, or conceal any such inmate
4 after such escape, or if any person advise or connive at the
5 escape of any female inmate of the said colony, he or she
6 is guilty of a misdemeanor; and if any person procure the
7 escape of any female inmate of the said colony, or aid or
8 assist in such escape, or conceal such female inmate after
9 such escape, he or she is guilty of a felony.

10 SEC. 45. No trustee or employee of the said col-
11 ony shall be personally, directly or indirectly, interested in
12 any contract, purchase or sale made, or any business car-
13 ried on, in behalf of or for said institution. All contracts,
14 purchases or sales made in violation of this section shall be
15 held and declared null and void, and all moneys paid to
16 such trustee, employee, or any other person, for his bene-
17 fit, in whole or in part, in consideration of such purchases,
18 contracts or sales made, may be recovered by civil
19 suit, to be instituted in the name of the State of California
20 against such trustee, employee or person acting in his
21 behalf; and in addition, it is hereby made the duty of the
22 Governor or the board of trustees, as the case may be,
23 upon satisfactory proof of the fact of such interest, to
24 immediately remove the trustee or employee delinquent as
25 aforesaid, and to report the facts to the Attorney General,
26 who shall take such legal steps in the premises as he shall
27 deem expedient.

28 SEC. 46. The Pacific Colony, its inmates, officers,
29 employees and property, are hereby declared to be exempt
30 from the operation of Chapter I, Title V, Part III of the
31 Political Code, and free from the supervision, inspection
32 or control of the State Commission in Lunacy.

33 SEC. 47. There is hereby appropriated out of any money

1 in the state treasury not otherwise appropriated, the
2 sum of three hundred and fifty thousand dollars (\$350,-
3 000.00) for the purposes of this Act.

4 SEC. 48. The Controller of the state is hereby directed,
5 on requisition of the board of trustees, duly audited by
6 the State Board of Control, to draw his warrant on the
7 state Treasurer in favor of the board of trustees for any
8 moneys duly appropriated, to pay for the expenditures in
9 the establishment and maintenance of the said colony,
10 and the said Treasurer is directed to pay the same from
11 the appropriations provided therefor.

12 SEC. 49. The invalidity of any part of this Act shall not
13 be construed to effect the validity of any other part capa-
14 ble of having practical operation and effect without the
15 invalid part.

AMENDMENTS TO THE BILL

There will be one or two minor amendments to make the meaning clearer in certain sections.

It is also proposed to establish some standard for the psychologist, as has been done for the physician; for instance, that the psychologist be a member of or be approved by the American Psychological Association.

Possibly the age of "twelve" years stated in section 16, page 5, line 23, will be changed to read "ten" years. There has not yet been entire agreement as to this. Recommendations of ten, twelve, and fourteen years have been made. The arguments are being reviewed, and further expressions of opinion are invited.

APPENDIX

PRELIMINARY STATEMENT 1915 LEGISLATURE COMMITTEE

HISTORY OF THE MOVEMENT

FOR a number of years it has been in the minds of persons now connected with state institutions, and organizations for public welfare, to propose legislation providing more adequately for the care and training of feeble-minded and epileptic persons. It is estimated that there are now several thousand feeble-minded children in the public schools of California; that few of these children possess a level of intelligence sufficiently high to enable them ever to become self-directing citizens; and that the future welfare of these individuals and of society as a whole demands that they should be segregated or otherwise provided for to the end that their condition will not cause them to be a menace to society and that their defect may not be transmitted to future generations.

Since the original impetus was given to this problem, it has become one of rapidly growing interest in all parts of the state. Investigations have been published showing the need for wider attention to the question, and on numerous occasions scientific studies have shown how many fundamental social problems are affected by the fact that we permit unsupervised and unguided feeble-minded persons to move about in our population. Our state prisons, institutions for juvenile delinquents, detention homes, orphan asylums, almshouses, and other public institutions,* are greatly affected and often seriously handicapped in their work because of the presence of inmates whose primary condition is feeble-mindedness.

Up to the present time the State of California has provided but one institution for the feeble-minded. The Sonoma State Home, established by the Act of 1887, is now wholly inadequate to care for

* There is no state institution for epileptics in California.

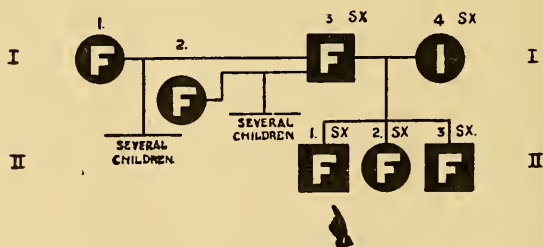
the large numbers of feeble-minded who should become wards of the state. This institution is located in Sonoma county, about sixty miles north from San Francisco.

LEGISLATION, 1915

In harmony with the trend of recent legislation in the State of California, a bill was presented to and passed by the legislature of 1915, the purpose of which was to provide for a comprehensive study of the problem of feeble-mindedness, and to report to the session of 1917.

The section dealing with the creation of the committee to prepare and present this report, reads as follows:

SEC. 4.* The superintendent and trustees of the said Whittier State School, together with two persons to be designated by the Psychopathic Association of California, are hereby authorized and empowered to prepare and present to the next session of the state legislature of the State of California recommendations regarding the establishing of an institution for the care, training, confinement, discipline and instruction of defective persons, together with recommendations as to the best methods to be employed in conducting the same, the character of buildings and equipment best adapted to the purpose, and as to a suitable location for such an institution.



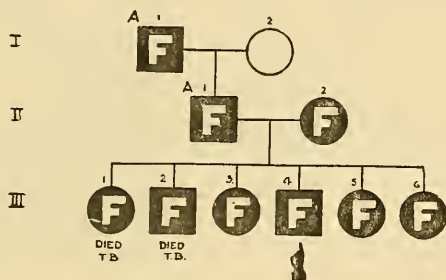
HEREDITY AND MENTAL DEFECT

EXPLANATION: I-3, was a feeble-minded, immoral man. He married three times, each time to a defective woman. I-4, his third wife, was insane. Their three children were mentally defective and immoral. II-1, the oldest, was committed to Whittier State School. — *Whittier State School, Department of Research.*

* Statutes, 1915, chap. 729, p. 1439. Act approved June 11, 1915.

SCIENTIFIC RESEARCH

By the same act by which the committee was established, the board of trustees of the Whittier State School were authorized to make special provision for the care and training of feeble-minded persons and to maintain a department for the scientific study of mental deficiency and related problems. A department of research was established, under the direction of a clinical psychologist, assisted by a trained field-worker. Valuable contributions have been received by the committee from this department.

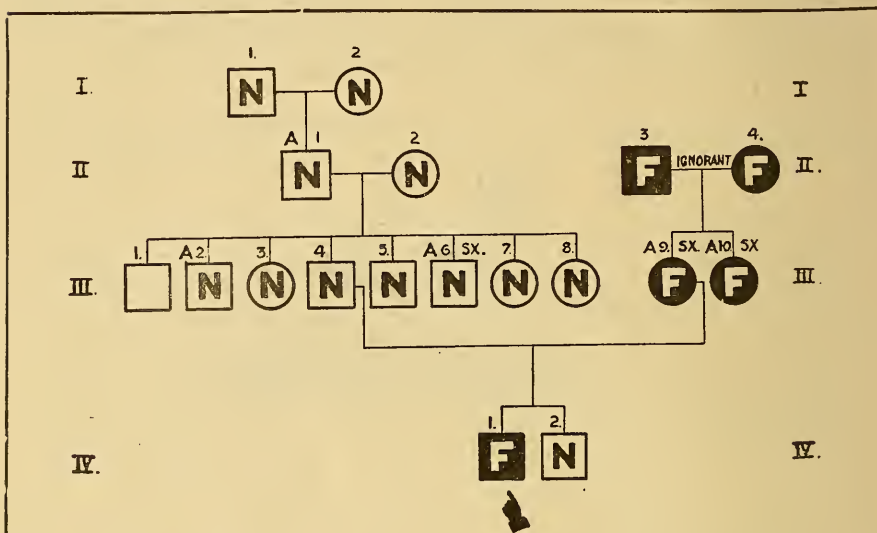


HEREDITY AND MENTAL DEFECT

EXPLANATION: I-1, of the first generation, married a woman concerning whom no information is available. II-1, their son, was feeble-minded. He married a feeble-minded girl, II-2, and produced six children, all of whom were feeble-minded. III-4, a boy of 9 years, was committed to the Whittier State School.—*Whittier State School, Department of Research.*

By psychological examinations, involving the use of standardized tests, the level of intelligence of each pupil in the School has been established. The psychological diagnosis is amplified and related to the practical problem of the boy's vocational guidance by extensive supplementary data, including systematic observations and the analysis of his personal and family history. The accompanying charts are representative of the minimum data upon which conclusions as to heredity are based. Many family charts include more than one hundred individuals, the genealogy having been traced back often five or six generations.

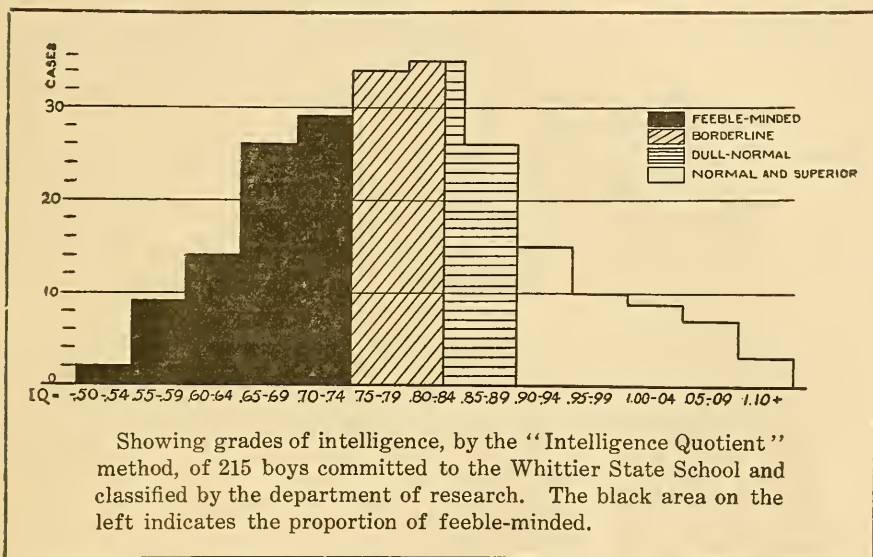
Heredity and Feeble-mindedness. It is now established to a reasonable degree of certainty that feeble-mindedness, in the great majority of cases, is an inherited trait; that it is transmitted to future generations according to known biological laws; and that it is an incurable condition. Dr. H. H. Goddard, Director of Research at the Training School, Vineland, N. J., has found evidence that heredity is account-



INTERMARRIAGE OF NORMAL AND FEEBLE-MINDED FAMILIES

EXPLANATION: III-4, the father of the boy committed, was a normal, honest, hard-working man. He came from a family of normal persons, much like himself, although a few (II-1, his father, and III-2, and III-6, his brothers) were alcoholic. He married, however, a feeble-minded girl (III-9) who came from a feeble-minded family. Both of her parents, II-3 and II-4, were said to have been "densely ignorant" (later evidence showed them to be feeble-minded), and her sister (III-10) was feeble-minded and immoral. The offspring of this union (III-4 and III-9) were two boys. IV-1, a feeble-minded boy, left school early, became delinquent, and was committed to the Whittier State School. His brother, IV-2, is of normal intelligence, and has shown no delinquent tendencies.—*Whittier State School, Department of Research.*

able for mental deficiency in probably 75 per cent. of the cases which he has investigated during the past ten years. Dr. Fred Kuhlmann, of the Minnesota School for Feeble-minded, has reached similar conclusions. The department of research at the Whittier State School has made findings in striking accordance with those at Vineland and Faribault. Conclusions from other sources are not greatly at variance.



Feeble-mindedness and Delinquency. We must no longer look upon the problem of feeble-mindedness only with a view to charity for helpless individuals. It is true that feeble-minded individuals of the idiot and imbecile grades are often helpless; but excepting the very lowest levels, feeble-minded persons are not entirely helpless. While not possessed of sufficient intelligence to become self-supporting, according to the ordinarily accepted standards of society, many of the higher grades of mental defectives are a menace to the community in which they live. The very fact of the inability to make an honest living is often the cause of serious misconduct in meeting the struggle for existence by dishonest and unsocial means.

The relation between feeble-mindedness and delinquency, with special reference to the problem in California, will be discussed at

some length by Dr. J. Harold Williams, Director of Research at Whittier State School, in a forthcoming book on delinquency.* The accompanying chart shows the proportion of feeble-minded found in a preliminary study published as a bulletin by the Whittier State School.

The Defective Delinquent. Much discussion concerning the institutional problem as affected by the defective delinquent has come to the attention of the committee. Whether such delinquents should be committed to the usual institution for delinquents, or especially segregated within institutions for the feeble-minded, or be provided for in entirely distinct institutions, is a question on which differing views have been expressed.

To a number of inquiries from the committee, Mr. Joseph P. Byers, executive secretary of the national committee on provision for the feeble-minded, has replied at considerable length, furnishing the committee much valuable information. From that portion of his reply dealing with the defective delinquent we quote as follows:

If these incorrigible cases are provided for at the colony in any number I should think it would be wise to make separate provision for them in an isolated building or group of buildings. You will probably find that some of the so-called incorrigible cases at the State School will show a decided change for the better so far as conduct is concerned in the new environment of the colony.

As far as I know the experiment of organizing a colony for high-grade cases — morons — has not been tried.

Comparatively little difficulty has been experienced in holding and controlling the moron type; but in this connection it should be understood that practically all of those living at the New Jersey colonies were for a number of years at the Training School.

It will be a very interesting thing to see how far the juvenile-delinquent type can be transferred and controlled at a colony without providing for special restrictive measures to keep them on the premises. My personal impression is that the whole environment will have to be very unusual indeed if the high-grade and borderline cases can be kept at the colony contented, happy, and usefully employed.

*Dr. Williams' monograph will bear the title "The Intelligence of the Delinquent Boy."

